# THE LAWS OF JAMAICA,

Pass'd by the

HARVARD COLLEGE LIBRARY

GOVERNOURS, COUNCIL and ASSEMBLY in that Island, and confirm'd by the Crown.

*LONDON:*
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# THE PREFACE.

HAVING undertook Printing all the Laws of *Jamaica*, which are confirmed by the Crown, and now in force; for the better Satisfaction of any that may incline to remove themselves to that Island; I thought it incumbent on me to give the following Account of the Country.

The Island of *Jamaica* is distant from *Hispaniola*, West, about 25 Leagues; from the great Island of *Cuba* 26 Leagues; and the Main Land of *America* and *Carthagena*, about 150 Leagues. It fell first

into the Poſſeſſion of the *Engliſh* in the Year 1655. The Middle of it is ſituated neareſt in 17 Degrees, 40 Minutes of North Latitude; ſo that their longeſt Day from Sun-riſing to Sun-ſetting is 13 Hours 4 Minutes, and their ſhorteſt 10 Hours 56 Minutes: The Difference of Longitude from the Meridian of *London*, to the Meridian which paſſes over *Port-Royal*, is 78 Degrees, 45 Minutes Weſtward, which cauſes 5 Hours 15 Minutes difference in Time; ſo that when it is Noon-day there, it is a Quarter of an Hour paſt 5 in the Afternoon in *London*.

The Length of the Iſland lies neareſt Eaſt and Weſt, and is accounted to be 180 Miles, and the Breadth, in the broadeſt Part of it, 45 Miles; ſo that its Figure is neareſt an Oval. It lies under that which is called the *Torrid-Zone*; nevertheleſs

vertheleſs the Air is moderately Temperate, occaſion'd by the long Abſence of the Sun every Night, by the ſtrong Eaſterly Breezes, which generally blow from 8 or 9 in the Morning to 4 or 5 in the Afternoon, and by the Land-Wind, which is a ſmall cool Breeze that comes off the Shore from all Parts of the Iſland in the Evening, and blows gently all Night; the Nights are for the moſt Part fair, and not a Cloud to be ſeen in the Sky; ſo that by their Clearneſs and Coolneſs they are exceeding Pleaſant; the Day-Time is much more hot and troubleſome, by Reaſon of the Sun and the Sea-Winds, which moſt Days blow very hard. If the Weather be ſuch as is accounted ſeaſonable, it commonly Rains a Shower in the Inland Parts under the Mountains more or leſs every Day, about 1 or 2 a Clock, from the

Beginning of *April* to the Beginning of *December*, with a little Thunder and Lightning; and this makes the Iſland fertile, eſpecially if accompanied with thoſe they call the general Seaſons, which are commonly great Rains in *May* and *October*, that continue Night and Day with ſmall Intermiſſion for 3 or 4, and ſometimes 8 or 10 Days together; but theſe failing, as ſometimes they do, is prejudicial to all Things in the Country: The reſt of the Year is for the moſt Part very fair and delicate Weather, without much Rain, Thunder or Lightning. There are Earthquakes, ſometimes two or three in a Year; but ſo moderate that they are over before One can be well ſenſible what they are, and were never known ſo violent as to do any Harm, but in the Year 1692.

The middle Parts of the Iſland are very full of Mountains, which

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towards the Eaſt End of it are ſo high, that they are not habitable: Theſe Mountains are for the moſt Part cover'd with large Timber Trees, of divers Sorts of Wood, fit for Building and ſeveral other Uſes, as well as bearing many Sorts of Fruits, which maintain great Plenty of Pidgeons, Doves, Parrots, and other Kind of Birds, and alſo wild Hogs, all very good for Food. Betwixt theſe Mountains run many Rivers, ſeveral whereof by the Acquiſition of divers of the ſmaller Rivulets become large, but few Navigable, by Reaſon they are for the moſt Part barred in their falling into the Sea, and many of them ſinking in the Ground (when they come into the Low-Lands) before they can reach thither: The Rivers are well ſtored with Fiſh, ſome ſuch as are in *England*, and others Strangers to the *Engliſh* Climate,

but very good to eat; the Sea about the Iſland plentifully affords Fiſh of many Sorts, very good, and likewiſe abounds with Tortoiſe and Manatee, both pleaſant and delicious Food.

The Low-Lands, and plain Grounds, near or under the Mountains, as well as in many Parts upon or within them, are where the People generally inhabit; there are level Tracts of ſeveral Miles in Length and Breadth, like our Meadows full of Graſs, called *Savanna's*, (a Name retained from the *Spaniards*) in theſe are bred great Plenty of Cattle, Sheep, Horſes, Aſſes and Mules, ſufficient both for Food and Service: There is alſo in the Country great Stocks of Hogs, Turkeys, Hens, Geeſe, Ducks, Pidgeons, Rabbits and divers Kind of Wild-Fowl; and likewiſe ſufficient Stock of all Sorts of Garden Herbs

and

and Roots, Pulſe and Sallads; many excellent Fruits, ſome known in *England*, as Grapes, Lemons, Oranges, Citrons, Pomegranats and Muskmelons, and others proper to that Country, as the celebrated Pine, Shaddocks, *&c.* That which makes the Fruits of the more Uſe and Beauty, and the Country thereby the more Pleaſant, is, that they (as well as the Leaves on all the Trees) continue all the Year, there being no Winter or Decay, but a continual Spring on ſeveral ſeaſonable Showers of Rain; ſo that there is nothing wanting in this Iſland, for a neceſſary, plentiful, or a delicate Way of Living.

The Towns in the Iſland, are only *St. Jago de la Vega*, *Port-Royal* and *Kingſton*. The firſt is in the Inland Part of the Country, and ſeated near the Banks of a fine River on one ſide, and on the other

is

is a large Plain or Savanna of ſeveral Miles extent; it is about 6 Miles by Land from the Harbour that *Port-Royal* and *Kingſton* lye upon: It has many fair Houſes, and a conſiderable Inland Trade: It is alſo the Seat of Government, where are held the Chief Courts of Juſtice, the Aſſemblies meet, and all the Records of the Iſland are kept.

The Town of *Port-Royal*, formerly much larger and very populous, is built on a Key, which before the great Earthquake joyned to an Iſthmus of Land that divides the Sea and the Harbour of *Kingſton*; the Ground it ſtands on is about 20 Acres, and cannot be enlarged otherwiſe than by what with great Labour and Charge can be gained from the Sea, with which it is encompaſs'd; for the Defence of this Town and its Harbour are two Forts, and a Line of Guns, one of the

the Forts is mounted with upwards of 100 great Guns.

Within the Harbour, and about 6 Miles from the Town of *Port-Royal*, lyes the Town of *Kingſton*; firſt laid out, and partly ſettled after the great Earthquake, on the Fire of *Port-Royal* in the Year 1702, whither reſorted the moſt conſiderable Traders and trading Sort of People; and it is now become greatly encreaſed, in Houſes, Store-Houſes, Wharfs, and other Conveniencies for Trade and Buſineſs; ſo that 'tis by much the largeſt Town in the Iſland; and if the Iſland ſhall encreaſe in People and new Settlements, (the Conſequences of Trade and Riches) it is likely to be much the faireſt Town in all the *Indies*, for 'tis moſt commodiouſly laid out, happily and beautifully ſituated, has many ſpacious Houſes in it, and more are daily building, is the Reſidence of the greateſt

greateſt Merchants and Traders, and has reſorting to it moſt of the Ships or Veſſels that come to the Iſland, and in it is managed the chiefeſt Part of the Trade of *Jamaica*.

To theſe Towns belong a conſiderable Number of Sloops, which find very good Employment, in trading and carrying Goods about the Iſland, or to the Main of *New-Spain*, *Cuba*, &c. or in *Catching* of *Tortoiſe*, *Manatee*, &c. And beſides the Harbours of *Port-Royal* and *Kingſton*, this Iſland has many convenient Ones; as alſo ſeveral Bays and Roads; particularly 7 Leagues to the Weſtward of *Port-Royal* is a good and ſafe Harbour for Shipping, called *Old-Harbour*; and more Weſterly is *Carliſle-Bay*, a ſafe Road; at the Weſt End is *Blewfields-Bay*, and other good Roads; and the like is alſo in the Pariſhes of

of *St. James*, *St. Anne*'s, *St. Mary*'s; on the North Side of the Iſland, and in the Pariſh of *St. George*'s the North-Eaſt Part, is *Port-Antonio*, a ſafe and good Harbour, and ſuch another on the South-Eaſt Part called *Port-Morant*, beſides other good Bays, as *Morant*, *Yellows*, &c. ſo that there is no want of Conveniencies for the Importation or Exportation of any Goods, or the Lading or Unlading of Ships or Veſſels in any Part of the Country.

The chiefeſt Commodity that this Iſland produces or makes, is a Sort of *Muſcavado* Sugar, excelling any that is made in any other of the *Britiſh* Plantations: It alſo produces Indigo, Cotton, Ginger, Pimento and other Commodities, and affords divers Sorts of Dying, and other Woods, fit for Cabinets, Tables, *&c.* And by the Trade with the *Spaniards* are brought into it Pieces of Eight,

Gold,

Gold, Pearl, Emeralds, Cochineal, Caſtarilla or Jeſuits Bark, Sarſaparilla, Cocoa, Hides, and other Commodities, beſides Logwood, from the Bays of *Campeachea* and *Honduras*.

The King is Sovereign Lord of this Iſland, and in Writs, Commiſſions, Grants, &c. is ſtiled King of *Great-Britain*, Lord of *Jamaica*.

After the Reſtoration of King *Charles* the Second, this Iſland was put under a Civil Government; and ſince that Time has been divided into 17 Pariſhes, and they into 10 Provinces or Precincts, for its more regular Government in Civil and Military Affairs.

The Government is conſtituted by a Charter or Commiſſion under the great Seal of *England*, which on Change of Governours is always publiſhed, and afterwards recorded, that it may be ſeen by All:

It

It contains the Powers granted to the Governours and the Royal Conceſſions to the People, as calling Aſſemblies, aſſimulating their Laws to thoſe of *England*, &c.

The Governour Commands during the Pleaſure of the Crown, and has no Sallary but what is paid in the Iſland, without Donatives or Preſents from Aſſemblies, *&c.* under the Title of Captain-General, and Chief Governour, or Lieutenant-Governor and Commander in Chief; and in him is veſted by the Crown all Power, Civil, Eccleſiaſtical or Military, which he is to diſcharge according to the Laws, and thoſe Powers and Inſtructions he receives from the Crown, and with the Advice of the Council. On the Governour's Death or Abſence, the Council govern, and the firſt Councillor preſides till his Majeſty's Pleaſure be declared therein.

The

The Council generally conſiſts of about 12, appointed by the Crown: They inſpect the Revenue and give Orders for the iſſuing it out, and adviſe in Matters relating to the Government. They think themſelves limited by the Law, like the Lords of the Council in *England*, ſo meddle not with Property, unleſs it comes by Writ of Error judicially before them, which ſeldom happens: As the Governour repreſents the King, ſo the Council do the Houſe of Lords; for by the Commiſſion and Inſtructions they are joyned with the Governour and Aſſembly, in making and repealing all Laws, *&c.*

The Aſſembly conſiſts of 37, that is, 3 for each of the Pariſhes of *St. Catherines*, (in which is *St. Jago de la Vega*) *Port-Royal*, and *Kingſton*; and 2 for each of the Pariſhes of *St. Thomas*, *St. Da-*

*David's*, *St. Andrew's*, *St. Thomas in the Vale*, *St. Dorothy's*, *Clarendon*, *Vere*, *St. Elizabeth's*, *St. James's*, *St. Ann's*, *St. Mary's*, *St. John's*, *St. George* and *Weſtmorland*; and are choſen indifferently by the Freeholders of the ſeveral Pariſhes, by Virtue of Writs iſſued out of Chancery under the great Seal of the Iſland, directed to the Provoſt Marſhal, who ſignifies the Time and Place of Election; there Indents, and afterwards makes a Return, *&c.* All the Methods and Proceedings of Aſſemblies are conformable to thoſe of the Parliament of *England*; the Governour has a Negative, and can Prorogue, Diſſolve, or Adjourn. The Laws made are generally Municipal, proper only for the Iſland, and are in Force until rejected, or for what Term the Crown pleaſes, as may appear by the Manner of paſſing the firſt Laws.

The King, in *Jamaica*, (as in *England*) is Head of the Church; the Governour, as his Subſtitute or Chancellor, has the Gift of all Benefices, none of which are worth leſs than 100 l. and ſome are worth more than 400 l. *per Annum*. The Clergy have Inſtitution and Induction, by an Inſtrument under the Great-Seal of the Iſland, and have Clerks, keep Regiſters of Marriages, Chriſtnings, Funerals, *&c.* In the ſeveral Pariſhes, there are Church-Wardens and Veſtries, of which the Miniſter is to be one; and alſo Surveyors of Highways, *&c.* after the Manner of *England*, and as the Laws of the Iſland direct.

Eccleſiaſtical Mulctuary Laws are not of Force in *Jamaica*; for the Crown conſidering this as a large and fertile Iſland, to draw People to it, did permit Liberty of Conſcience, which has as well been confirmed by

by Laws, as by the ſeveral Inſtructions to the Governours: And all Foreigners, upon taking the Oath of Allegiance, may demand a Patent of Naturalization, which ſhall enfranchiſe them as Native Inhabitants.

This Iſland has not only been honoured by the Crown with Arms, and a publick Broad-Seal; but with a large gilt Mace, which is carried before the Governour on ſolemn Occaſions, and makes the Government appear more great and formal.

The Governours (by a Clauſe in their Commiſſion) are appointed Chancellors, whoſe Fees amount to little: The Chancellor has a Clerk under him called, Regiſter or Clerk of the Patents, and Two or more Maſters of *Chancery*, that on Occaſion ſit with him, and adminiſter Oaths to Commiſſions, Anſwers, *&c.* This Court ſit every Third *Monday*

in the Month, and ſeldom above 3 or 4 Hours.

The Governour is not only Chancellor, but likewiſe the Biſhop's Ordinary and Judge of the Prerogative Court, and in this all Governours have been exceeding careful; the Secretary of the Iſland has this Office: The Wills are proved before the Governours, as Judge; if no Will, Adminiſtration is granted to the next of Kin, or greateſt Creditor; and both Executors and Adminiſtrators give Security and take an Oath to bring, in a Time limited, an Inventory into this Office, and to Adminiſter faithfully, &c.

Another Office the Governour is inveſted with is, that of Vice-Admiral; by virtue of which he Conſtitutes an Admiralty-Court, with Judge, Regiſter, Marſhal, Proctors, &c. that proceed according to the Civil

Civil and Maritime Laws practiſed in *England* and *Europe*.

The Governour is not only Vice-Admiral, but generally has a Commiſſion, or Orders, (when no Admiral is preſent) to Command the Ships of War that are for the Guard of the Iſland, and can grant Commiſſions of War againſt an Enemy, Pirates, &c.

The Militia in this Iſland is commanded by the Governour, according to the Act of Militia, who are empowered to make Colonels and other Officers, who are to Train and Diſcipline their reſpective Men, and take Care that they keep good Arms, well fix'd, and ſufficient Stores of Ammunition always by them; and are divided into 10 Regiments of Foot, and as many Troops of Horſe that make one Regiment: And for the Defence of the Iſland, every Man from 16 to 60, is obliged, in Six

Weeks after Arrival, with intent to ſettle there, to Liſt himſelf in what Company of Foot or Horſe he pleaſes; but having Liſted himſelf, he is not to remove at Pleaſure, except he goes to dwell in ſome other Pariſh of the Country, and then he muſt Liſt himſelf in that Regiment or Troop where he goes to reſide. At *Port-Royal*, is a Captain of the Forts, commiſſion'd by the Governour, and a Number of Gunners and Mattroſſes, paid out of the Revenue ariſing in the Iſland, who lodge in the Forts, and take care of the Guns, Arms, Ammunition, *&c.*

The Grand Court has a Chief-Juſtice, commiſſion'd by the Government under the Great-Seal of the Iſland, whoſe Sallary is 120 *l. per Annum*, and Four or Six Juſtices to his Aſſiſtants, who have no Sallary, and only ſerve for Honour,

nour, and to render their Country Service: This Court is attended by the Marſhal, Clerk of the Crown, Coroners, *&c.* and has a particular Clerk or Prothonotary, and does in its Power and Proceedings reſemble the *King's-Bench*, *Common-Pleas*, *Exchequer*, and *Aſſizes* in *England*; it is (like the Term) held Quarterly at *St. Jago de la Vega*; and the manner of holding it, its Fees, Proceſs, as well as Pleadings, *&c.* appear at large in the enſuing Laws, and Mr. *Hans*'s Account of the Iſland, at the End of this Volume.

In each Province or Precinct, the Colonel or Gentleman of the beſt Ability or Eſtate, is the *Cuſtos Rotulorum*, and with other Juſtices of the Precinct, holds Quarterly a Seſſion for puniſhing Miſdemeanors, and thoſe Crimes that are there Cognizable; and have Clerks of

the Peace, Deputy-Marſhals, Juries, &c. and there every Thing is determined and regulated by the Laws of *England*, or the Municipal Laws of the Iſland, for the Peace and good Government of the Precinct.

In each Province or Precinct, is likewiſe held a Court, this in nature of *Court-Baron* or *Sheriff's-Court*, where the ableſt Gentleman is Judge, and has Two of the Juſtices to be his Aſſiſtants, and there very juſtly and formally, are heard, and determined all Actions, Pleas, &c. ariſing among the Neighbours in the Precinct, not exceeding 20 *l.* if it does, they take a Juſticias out of *Chancery*, that, for the People's Eaſe, is always granted; but nevertheleſs, by the *Certiorari*, Writ of Error, &c. they may bring Cauſes out of theſe Courts into the Grand Court.

In

In this Iſland all are enjoyned to enrol their Deeds, to prevent fraudulent Conveyances in the Secretary's Office, where the Entries and Diſpatch of Ships are made, and Licences to Marry, ſell Wine, Tickets of Leave, &c. are granted.

The Provoſt-Marſhal-General, is executive Officer of Juſtice; he and his Deputies are the Officers that attend the Governour, Council, and Courts of Juſtice, execute all Writs, &c. and do what High-Sheriffs, Uſhers of the Black-Rod, Serjeants, Goalers, &c. do in *England*.

That the Acts of Navigation and Trade may be complyed with, the Crown has a Naval Officer in the Iſland, who remits, twice a Year, all Books, Bonds, Entries, &c. to the Commiſſioners of the Cuſtoms, and keeps likewiſe an Account of all Ships, Goods, Negroes,

groes, &c. that come into the Iſland.

The Crown has a Revenue in this Iſland ariſing from Quit-Rents, Fines, Forfeitures, Licences for Taverns, Impoſts on Goods, &c. which is gather'd by the Collector or Receiver-General, who pays no Money without a Warrant from the Governour and Council: And it is Enacted in the Act, intituled, *An Act for raiſing a Revenue to her Majeſty, her Heirs, and Succeſſors, for the Support of the Government, and Maintaining and Repairing her Majeſty's Fortifications*, 'That ſuch 'Collector, Receiver-General, or 'his Deputy, ſhall, when, and as 'often as thereunto required by 'the Governour, Council or Aſ-'ſembly, when Sitting, or to any 'Committee of them, or either of 'them, to be appointed, give in 'upon Oath a juſt and true Ac-

'count

'count of the particular Disburſ-
'ments of all Money ariſing, or
'that ſhall come into his Hands, by
'virtue of this Act.' And beſides, the Collector or Receiver-General is ſuperviſed by a Deputy Auditor, and every half Year an Account paſſed by him is remitted to the Auditor-General in *England*, to be laid before the Lord-High-Treaſurer, or Lords of the Treaſury for the Time being, and Lords of the Council; and therefore it ſeems almoſt impoſſible any part of this Revenue ſhould be imbezzled or miſapply'd.

The ſeveral Offices of Secretary, Provoſt-Marſhal, Regiſter of *Chancery*, Clerks of the *Crown* and Grand Court, Naval Officer and Receiver-General, are held by Patent from the Crown, either for Life, or during Pleaſure, and may, by leave of the Crown, as ſome or moſt of them are, be executed by Deputies; but

but the Governours have a Power to ſuſpend any of the ſaid Officers, or of excepting againſt their Deputies; ſo they aſſign their Reaſons for ſo doing to the Crown, until its Pleaſure be known thereupon.

The Crown, for the Encouragement of People to go to this Iſland, with intent to Settle and Plant there, has been graciouſly pleaſed to give every Man for himſelf, Wife, Children, and Servants, and all he brings with him, (or ſhall at any Time after Import) 30 Acres of Land for every Head, in any part of the Iſland they themſelves ſhall chuſe, not already poſſeſs'd by others, they paying only the Charges of the Patent: This paſſes to the Poſſeſſor, or his Heirs and Aſſigns for ever, by the ſaid Grant in common Soccage; which Patent being enrolled in the Office, is good againſt the Crown's Claim, or any others, tho the Patent it ſelf

ſhould

ſhould happen to be loſt, burnt, or deſtroyed.

This is, I conceive, a ſufficient View of the Iſland and Government of *Jamaica*, and the Advantages the Planters and Inhabitants enjoy; whereby this Iſland is much more happy in many Reſpects, than any other of the *Britiſh* Colonies and Plantations: And ſince by a moſt gracious Letter of his Majeſty (communicated to the Council and Aſſembly) his Majeſty has been pleaſed to give Aſſurances of affording it his particular Royal Favour and Protection, it is wholly in the Power of the People to make *Jamaica* the greateſt and moſt flouriſhing Plantation in the *Indies*, as well as the moſt beneficial and advantagious one to *Great-Britain*.

Thus I have gone through what was thought a neceſſary Introduction to

to this Volume of Laws; there are ſome other Acts paſſed, which have not yet had the Royal Aſſent, which together with ſome uſeful Things which have been recommended, and are neceſſary ſhould be paſſed into Laws, when they are ſo, and confirmed with the Others, ſhall be Printed without Delay, if God grant Health and Leiſure to

*June* 23. 1716.

*William Wood.*

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*An Act for the more speedy collecting his Majesty's Quit-Rents, Fines, Forfeitures, and Amerciaments.* Passed 1696. Confirmed 1699. p. 217
*An Act for the better Order and Government of Slaves.* Passed 1696. Confirmed 1699. p. 225
*Act Act for raising Parties to suppress Rebellious and Run-away Negroes.* Pas. 1699. Conf. 1703. p. 257
*An Act for confirming and securing Titles to Estates.* Passed 1698. Confirmed 1700. p. 262
An Act *to oblige the Parishes of* St. Catherines *and* St. Andrews, *to build a Bridge over the River* Rio Cobre. Pas. 1699. Conf. 1703. p. 265
An Act *to make sundry Persons a Body Politick, and Directors for the* Bath *of* St. Thomas the Apostle. Passed 1699. Confirmed 1703. p. 269
An Act *appointing Scavengers and regulating Wharfage at* Port-Royal. Passed 1699. p. 277
An Act *for Erecting and Establishing a Free School in the Parish of St.* Andrews. Passed 1694. Confirmed 1699. p. 283
An Act *for dividing the Parish of* St. Elizabeth *into two distinct Parishes, for the Ease of the Inhabitants.* Passed 1703. Conf. p. 291
An Act *for raising a Revenue to her Majesty, her Heirs and Successors, for the Support of the Government of this Island, and for maintaining and repairing her Majesty's Forts and Fortifications.* Passed 1703. Confirmed 1704. p. 294
An Act *to encourage the Importation of white Men.* Passed . Confirmed . p. 314
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# The LAWS in this Volume.


An Act *to prohibit the keeping any Quantities of Gunpowder on* Port-Royal, *for the better Regulating and Security of the ſaid Town, and to enable the Freeholders to chooſe Churchwardens, Veſtrymen, and other Parochial Officers, altho the Time for doing thereof be elapſed already.* Paſſed 1704. Confirmed 1707. p. 341

An Act *for making a new Road from* St. Thomas *in the Eaſt, to* St. Andrews. Paſſed 1705. Confirmed 1707. p. 347

An Act *for making and keeping clear a publick Road from* Clarendon *to* St Elizabeths, *over* One Eye Savanna. Paſ. 1705. Conf. 1707. p. 350

An Act *for eſtabliſhing Courts at* Kingſton, *and exempting Packet-Boats from the Duty of Gun-Powder.* Paſſed 1705. Confirmed 1707. p. 360

An Act *for the Encouragement of good and able Miniſters to come to this Iſland.* Paſ. 1706-7. Confirmed 1707. p. 362

An Act *for the further Encouragement of Parties, and more ſpeedy Reduction of Rebellious and Run-away Slaves.* Paſſed 1706-7. Conf. 1707. p. 367

An Act *for the further and better ſecuring* Port-Royal. Paſſed 1709. confirmed 1710. p. 382

An Act *appointing Way-Wardens, regulating Wharfage and buoying out the Channel between* Port-Royal *and* Kingſton. Paſſed 1709. Confirmed 1710. p. 385

An Act *for regulating Fees.* Paſſed 1711. Confirmed 1715. p. 394

An Act *for farther quieting Poſſeſſions and preventing vexatious Suits at Law.* Paſſed 1711. Confirmed 1715. p. 429

An Act *for the more effectual raiſing Parties to purſue and deſtroy rebellious and run-away Slaves.* Paſſed 1702. Confirmed p. 435

AT THE

# Court at *Whitehall*,

The 23d of *February*, 1682.

## PRESENT

*The King's Moſt Excellent* MAJESTY,

*Lord-Keeper.*
*Lord-Preſident.*
*Lord-Privy-Seal.*
*Duke of* Ormond.
*Duke of* Beaufort.
*Earl of* Oxford.
*Earl of* Cheſterfield.
*Earl of* Sunderland.
*Earl of* Clarendon.
*Earl of* Bath.
*Earl of* Craven.
*Earl of* Ailesbury.
*Earl of* Conway.
*Earl of* Nottingham.
*Earl of* Rocheſter.
*Ld Biſhop of* London.
*Mr. Secretary* Jenkins
*Mr. Chancellor of the* Exchequer.
*Lord Chief Juſtice* Pemberton.
*Mr.* Godolphin.

WHEREAS *by the Powers given into* Charles *Earl of* Carliſle, *late Governour in Chief of the Iſland of* Jamaica, *and in his Abſence to the Commander in Chief there-*

*thereof for the Time then being, Dated the Third Day of* November, *in the 32d Year of his Majeſty's Reign, as alſo by a Commiſſion unto Sir* Thomas Lynch, *Knt. now Governour in Chief of the ſaid Iſland, bearing Date the Sixth Day of* Auguſt 1681. *His Majeſty has been graciouſly pleaſed to Authorize and Impower the Governour, Council, and Aſſembly of the ſaid Iſland, to Conſtitute and Ordain Laws, which are to continue and be in Force until his Majeſty's Pleaſure be ſignified to the contrary. And foraſmuch as certain Laws have, in purſuance of the ſaid Powers and Commiſſions been tranſmitted unto his Majeſty, with the humble Deſire of the ſaid Council and Aſſembly, that his Majeſty would be pleaſed to paſs the ſame in the Words following.*

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THE

# THE LAWS OF JAMAICA.

## An ACT

*Appointing the Number of the Aſſembly.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, that in every Aſſembly hereafter to be called by His Majeſties Writs, and held within this Iſland, there be Choſen Three Repre-

ſentatives for the Pariſh of St *Catharines*, the like number for the Pariſh of *Port Royal*, and Two for each other of the reſpective Pariſhes that now are, or hereafter ſhall be in this Iſland; and that the Provoſt Marſhal, or his Lawful Deputy, give to every Perſon Elected, within ten Days after his Election, notice that he is ſo Elected.

*Provided* Always, that every Perſon Elected ſhall be a Free-holder in this Iſland, and that none have Right to Vote in any Election, but thoſe that are Free-holders in the ſame Pariſh where the Election is to be made.

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## An ACT

### *For Regulating Servants.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, That all and every Maſter or Maſters of Slaves, for the firſt five Working Slaves, ſhall be Obliged to keep one White Man Servant, Over-ſeer or Hired Man for Three Months

Months at leaſt; and if the Number increaſe to Ten, Two; and for every Ten after the firſt, One, to be Reſident in the Plantation, where the Negroes are employed; and if any ſhall be wanting for the ſpace of ſix Months of the proportion aforeſaid, he, ſhe, or they for every Servant ſo wanting, ſhall forfeit five pounds to the Uſe of the Pariſh where ſuch Default ſhall be made, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record in this Iſland.

And it is further Enacted and Ordained by the Authority aforeſaid, That all Maſters, Miſtreſſes, or Over-ſeers of Slaves, who ſhall not truly inform the Conſtable or Conſtables, within their ſeveral Precincts, when thereunto requir'd, of all ſuch Hired Men, or Servants, and Working Slaves, as ſhall juſtly and truly belong unto them, or under their Care, ſhall forfeit the Sum of Twenty Pounds, to be Recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, where no Eſſoign, Protection, or Wager of Law ſhall be allow'd; one Third of which Penalty ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this

Iſland, and the Contingent Charges thereof; one Third to the Church-Wardens of the Pariſh where the Offence ſhall be Committed, for the Uſe of the ſaid Pariſh; and the other Third to the Informer, or he that ſhall ſue for the ſame. And whatever Conſtable or Conſtables ſhall neglect his or their Duty herein, by not demanding an Account every ſix Months, and returning the ſame unto the Juſtices ſitting at the next Quarter-Seſſions of that Precinct, which they are hereby required to do, ſhall for every ſuch Default forfeit the like Sum of Twenty Pounds, to be Recovered and applyed in manner and form aforeſaid.

That all Servants ſhall have according to their Contract and Indenture; and where there is no Contract, or Indenture, Servants under Eighteen Years of Age at their Arrival in this Iſland, ſhall ſerve Seven Years, and Above Eighteen Years of Age, ſhall ſerve Four Years, and all Convicted Felons, for the time of their Baniſhment; and at the Expiration of the Times aforeſaid, ſhall receive from their laſt Maſter, Miſtreſs, or Employer Forty Shillings, and a Certificate of their Freedom upon Demand; and whoſoever ſhall refuſe, without juſt

Cauſe

Cauſe, to give ſuch Certificate to Servant, Artificer, or Labourer, whoſe Time is expired, or Contract performed, ſhall forfeit Forty Shillings for every ſuch Refuſal.

And whoſoever ſhall Employ any Free Perſon without a Certificate from the laſt Employer, of the Performance of his or their laſt Bargain or Contract, ſhall forfeit Ten Pounds.

That no Perſon or Perſons preſume to Trade with any Servant or Slave without the Maſter or Miſtreſſes Conſent, on Penalty of forfeiting to the Maſter or Miſtreſs of ſuch Servant or Slave, treble the value of the things Traded for, Bought, or Sold, and alſo Ten Pounds Currant Money of this Iſland, to be recovered by ſuch Maſter or Miſtreſs by Action of Debt in any Court of Record; and all Contracts made with Servants or Slaves to be utterly void.

That if any Servant or Hired Labourer ſhall lay violent Hands upon his or her Employer, Over-ſeer, or other Perſon put in Authority over him or her, ſuch Servant or Labourer ſhall for ſuch Offence Serve his or her Employer without any Wages twelve Months, by Order of any Juſtice of the Peace on Conviction.

That by the like Order and Conviction any Overſeer or Artificer, Hired Labourer or Servant, that ſhall embezel, purloin, make away, or waſt any of his or her Employers Money, Goods or Chattels, not exceeding the value of Forty Shillings, ſhall ſerve or make Satisfaction, according to the Diſcretion of any one of his Majeſties Juſtices of the Peace; and if above the value of Forty Shillings, to ſerve two Years by the like Order without any Wages, and be further liable, in caſe that Time will not ſatisfie; and if any ſuch Perſon as aforeſaid ſhall embezel, purloin, or make away any Money, Goods or Chattels of any others than their Maſters, Miſtreſſes, or Employers, they ſhall incur the ſame Penalty, and ſerve the Party injured as aforeſaid, after their Time expired with their Maſters or Miſtreſſes.

And be it further Enacted by Authority aforeſaid, That if any Freeman of this Iſland ſhall at any time hereafter beget a Woman-Servant with Child, he ſhall (upon due Proof thereof made, which Proof ſhall be by the Oath of the ſaid Woman, as in other Caſes of Baſtardy) give good ſecurity to ſave the Pariſh harmleſs; and as a further Puniſh-

ment

ment for his Offence, and for and towards Satisfaction of the Maſter or Miſtreſs of ſuch Servant, ſhall forfeit and pay unto the ſaid Maſter and Miſtreſs the full Sum of Twenty Pounds Current Money of this Iſland, and ſhall likewiſe provide for the Maintenance of the ſaid Servant and Child; and in caſe of failure herein, ſhall ſerve the Maſter or Miſtreſs of ſuch Servant, double the time that ſhe had to ſerve at the time of the Offence committed, or ſhall procure one in his or their ſtead, that ſhall be obliged ſo to do. And in caſe one Servant ſhall beget another with Child, then the Man-Servant ſhall, after the Expiration of his Term, ſerve the Maſter or Miſtreſs of the Woman-Servant, double the time ſhe had to ſerve, at the time of the Offence commited.

That any Man-Servant Marrying without the Maſters or Miſtreſſes Conſent, ſhall ſerve two Years for ſuch Offence; but if any Freeman ſhall Marry a Servant, he ſhall be liable to pay the Maſter or Miſtreſs Twenty Pounds, and ſhe ſhall be free.

That all Suits betwen Servants and their Maſters or Miſtreſſes relating to their Freedom, ſhall be heard and determined by any two Juſtices of the Peace without

any Appeal; and if any Servants abſent themſelves from their Maſters or Miſtreſſes Service without Leave, or Ticket from their Maſter, Miſtreſs or Overſeer, ſhall for every ſuch Days Abſence, ſerve one Week, and ſo in proportion for a longer or ſhorter time, the whole Puniſhment not to exceed Three Years.

That if any Perſon ſhall turn away any ſick or Infirm Servant, under pretence of Freedon, or otherwiſe, and ſuch Servant ſhall die for want of Relief, or become Chargeable to any Pariſh, the Offender ſhall forfeit Twenty Pounds of Currant Money of this Iſland, to the Uſe of the Pariſh where ſuch Death or Charges ſhall happen, to be Recovered by the Church-Wardens by Action of Debt in any Court of Record, unleſs the Party Offending ſhall pay the ſame, and alſo receive the ſaid Servant, if Living, and him to maintain during the whole time the ſaid Servant had to ſerve. But if any Servant, through wilful Misbehaviour, ſhall happen to have the *French* POX, *Yaws*, or any other Diſeaſe, broken Bones, Bruiſes, Sickneſs, Impediment, or Impriſonment, he or ſhe ſhall ſerve their Maſters or Miſtreſſes double the Time thereby neglected, and alſo for all

Charges

Charges occaſioned by reaſon thereof, at Ten Shillings *per* Month, after their time by Indenture or otherwiſe be expired; and alſo Maſters or Miſtreſſes of Servants, who ſhall receive unjuſt Moleſtation by Complaints or Suits of Law, ſhall have the ſame Remedy for their Expences and Loſs of Time.

That no Servant be Whipt Naked without Order of a Juſtice of Peace, upon Penalty of Five Pounds, to be Recovered by the Party Injured by Action of Debt in any Court of Record. And whoſoever ſhall not give to each White Servant Weekly, four Pounds of good Fleſh, or four Pounds of good Fiſh, together with ſuch convenient Plantation Proviſion, as may be ſufficient, ſhall forfeit to the Party Injured Ten Shillings for each Offence. And whoſoever ſhall not Yearly give to each Servant three Shirts, three pair of Drawers, three pair of Shoes, three pair of Stockings, and one Hat or Cap, and to the Woman proportionably, ſhall forfeit to the Party Injured Forty Shillings.

That no Maſter, Miſtreſs, or Overſeer ſhall cauſe or ſuffer any Chriſtian Servant to be Buried or Interred, until the Body of ſuch Servants ſhall be viewed by a Juſtice of the Peace, Conſtable or Tything-

thing-Man, or by two such Neighbours, as the said Justice, Constable, or Tything-Man shall choose and appoint, on Penalty of Twenty Pounds Currant Money of this Island, unless such Person died Ten Miles from the Dwelling of a Justice, Constable, or Tithing-Man, and hath been viewed by two of the next Neighbours, and in default of Neighbours, by two of the same Family, or that the said Justice, Constable, Tything-Man or Neighbours have not within six Hours after Notice given, come to view the Dead Body; and whosoever upon Notice given, and Request made to view such Dead, shall not within four Hours after such Notice repair to the view, or on the view finding any suspicious Tokens of the Bodies unlawful Death, shall not forthwith give Notice to the Coroner, or in Default of a Coroner of that Parish, to the next Justice of the Peace, shall forfeit Ten Pounds, which Justice, in such Cases, is hereby impowered to act as a Coroner.

That whosoever shall entertain a Servant, knowing the same to be so, shall shall forfeit for every Day and Night after the first, five Pounds; and not knowing him to be a Servant, Twenty Shillings for every Day and Night after the first,

firſt, ſo that the whole exceed not treble the value of the Servants time remaining to be ſerved with the Maſter or Miſtreſs. *Provided*, that this Clauſe extend not to Servants, by contract made in this Iſland, but ſuch as are atteſted by a Juſtice of the Peace, nor to ſuch as entertain any as bring a Certificate of their Freedom, atteſted under the Name of a Juſtice of the Peace, though the ſame be falſe and forged, or for any other Perſon whoſe Name the Bringer perſonateth, but ſuch forger, falſifier, perſonater, or bringer, and every one of them ſhall be ſet in the Pillory, and loſe his Ears on Conviction thereof in the Supream Court of Judicature; But whoſoever ſhall entertain a Servant any time, if the ſaid Servant ſhall be Drunk, Trade or Game during the ſaid Time, ſhall forfeit the Sum of Twenty Shillings, the one half to the Pariſh where the Offence ſhall be commited, and the other half to the Informer, to be levyed by a Warrant from any Juſtice of the Peace. And alſo if a Servant or Hired Labourer ſhall be guilty of hiding or entertaining any Perſon's Servant or Slave, he ſhall forfeit one Years Service to the Maſter or Miſtreſs of ſuch Servant or Slave, or receive Thirty Nine Laſhes

on

on the Naked Back at the Election of the Party Injured, to be ordered by any Juſtice of the Peace to any Conſtable in the Precincts.

That no Perſon ſhall Ride, Load or Carry on his Employers Horſes, Cattle, Carts, and Carriages (or willingly ſuffer the ſame to be done) any goods or thing whatſoever, other than the Maſters or Miſtreſſes, without ſuch Maſter or Miſtreſſes Conſent, on Penalty of Three Months Service for each and every ſuch Default.

And all Conſtables and Tything-Men are to be diligent in Apprehending and Searching for Runaways, on Penalty of Twenty Pounds for every Neglect, and upon the Apprehending of Runaways, if the Maſter or Miſtreſs be known, the the Servant ſhall be carryed to the Maſters or Miſtreſſes neareſt home, on Penalty of Forty Shillings; if not known, to the next common Gaol, and the bringer to receive of Maſter, Miſtreſs, or Goaler, eight Pence *per* Mile, ſo as the whole exceed not Forty Shillings, which ſaid Goaler is hereby impowered and commanded to receive ſuch Runaway or Runaways, and to pay unto the bringer eight Pence *per* Mile as aforeſaid, for every ſuch Runaway ſo brought to him, on Penalty

of

of Forty Shillings; and that it ſhall and may be Lawful for the Marſhal to detain and keep in Cuſtody the Bodies of all ſuch Runaways ſo brought unto him, until the Maſter or Miſtreſs of them, or their Aſſigns, ſhall pay unto him the full Sum of what he hath ſo paid for them, with Two Shillings ſix Pence *per* Pound for laying out the Money, and ſo proportionably, and alſo ſix pence for every Twenty Four Hours the ſaid Runaway hath been in his Cuſtody; and if the ſaid Marſhal ſhall ſuffer any Runaway ſo brought to him to eſcape, before he be duly delivered to his Maſter or Miſtreſs or his or her Aſſigns, that then the ſaid Marſhal ſhall pay unto the Maſter or Miſtreſs of the ſaid Runaway, ſo much as he ſhall be Condemned in by the Verdict of a Jury at Common Law; alſo any one may take up any ſuſpected Perſons, and carry him or her to any Juſtice to be examined.

That the Captain, or any other Commiſſion-Officer, ſhall at the Head of every reſpective Company and Troop, Publiſh, or cauſe to be Publiſhed this preſent Act once every Twelve Months, under the Penalty of five Pounds.

*Pro-*

*Provided alſo*, That the ſeveral Fines, Forfeitures, and Penalties before mentioned in this Act, and not declared where they ſhall be Recovered, and how Diſpoſed of, be one Moyety to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and Contingent Charges thereof; the other to the Informer, to be Recovered by Action of Debt, (if not exceeding Forty Shillings) as all Penalties of Service, before any Juſtice of the Peace, and if above Forty Shillings, and not for Service, in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

And be it further provided, That no Perſon or Perſons ſhall be ſued, moleſted, or troubled for any Fine or Forfeiture againſt this preſent Act, unleſs the Party ſo Offendnig ſhall be ſued or impleaded for the ſame within two Years at the moſt after the ſaid Offence ſhall be commited.

An

# An ACT

## *For the High-ways.*

FOR the better amending and keeping clear the Common High-Ways, and known broad Paths within this Iſland, leading to Church and Market, and for laying out new High-Ways, and turning old High-Ways, where it ſhall be needful, be it Enacted and Ordained by the Governour, and Council, and Aſſembly, and it is hereby Enacted and Ordained by the Authority of the ſame, that the Veſtry of each Pariſh, or the Major part of them, ſhall, on every third *Monday* in *January* before Noon, at their Pariſh Church, or other convenient Place, chooſe four or more Freeholders, each ſeized of at leaſt Thirty Acres Freehold in Right of himſelf or Wife, to be Surveyors for the Year enſuing; if the Veſtry neglects, each Perſon abſent or negligent ſhall forfeit Forty Shillings, and the Juſtices at their next Seſſions being informed thereof, ſhall appoint four or more ſuch Surveyors as aforeſaid; every Perſon ſo Choſen or Appointed ſhall within Ten Days (due Notice being given him by the

the Clerk of the Veſtry) procure himſelf to be Sworn before ſome Juſtice in the ſaid Pariſh, Diligently and Faithfully to perform the ſaid Office for the Year enſuing, and give a juſt Account to the Juſtices and Veſtry (if required) of what he ſhall receive, pay, or do, by virtue of his Office, on Penalty of Ten Pounds *Sterling*.

That the Surveyors being Sworn as aforeſaid, ſhall within ſixteen Days after their having viewed and conſidered the High-Ways and Bridges, inform the Juſtices and Veſtry of the Defects, Wants, and Alterations needful in the ſame, to the end (as they are hereby empowered) the ſaid Juſtices and Veſtry may lay a Tax of ſuch Money, Labour, or other things, as to them ſhall ſeem convenient and neceſſary; which if the Juſtices and Veſtry ſhall not do before the laſt Day of *February* in each Year, then ſuch ſaid Surveyor ſhall make ſuch Tax in Writing, which being Confirmed by any two Juſtices in the ſaid Pariſh, ſhall ſtand good till ſome Complaint be made at the Quarter Seſſions in that Pariſh, and the Juſtices then and there to confirm or alter the ſame without Appeal from thence.

That

That the High-Ways be Sixty Foot wide in ſtanding Wood, Forty Foot where the Wood is only on one ſide, and Twenty Four Foot in open Ground; and that the Surveyors have Power to cut down, dig up or remove as well all ſorts of Trees, Buſhes, Prickle, Fences, Rails, Gates, or Incloſures, or other thing or things, as may any ways ſtreighten, hurt, hinder, or incommode the High-Ways, as alſo to dig for Stone or Gravel, Clay, Marl, Sand or Earth in any Land not Planted or Incloſed, as Yard or Garden to a Houſe, or to Preſs any Cart, Carriage, Workman, or other thing fit to be employed in the High Ways for ſuch Reaſonable Satisfaction to the Parties concerned, as ſuch Surveyor can agree for, and in caſe of Diſagreement, ſuch as the next, or any Juſtice in the Pariſh ſhall appoint. *Provided* nevertheleſs, that where Gates are, or ſhall be erected, of at leaſt Ten Foot between Poſt and Poſt, or the High-way ſtreightned by Incloſure on both ſides, but the way ſo well kept by Cauſey-Way or otherwiſe, that two Carriages may meet and paſs each other, and the Ground as firm as is neceſſary, then the ſaid Surveyors ſhall forbear to pull down or remove

ſuch Gates or Fences, any thing herein ſeeming to the contrary notwithſtanding. But if any Perſon ſhall again erect, or cauſe any Nuſance, in the High-ways, which was by the Surveyor removed, for ſuch Offence he or they ſhall forfeit five Pounds.

And in Caſe where a new Path or Road is wanting, or where old Ways may with more Conveniency be turned or altered, or where to ſome Plantation or Plantations no High-Ways are yet laid out, to lead them into the high Roads which go towards the Market or Church, or to any convenient Harbour or Landing-Place, fitting for receiving a Shoar or Shipping off any Goods, upon Notice thereof given to any Juſtice of the Peace, he ſhall on requeſt iſſue his Warrant to the next Conſtable in the ſaid Pariſh to Summon a Jury to meet at ſome convenient Place and Day, therein to be mentioned, to view and lay out, or alter ſuch Paths or Roads; which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, that according to the beſt of their Skills and Judgments, and with moſt Conveniency to the Publick, and leaſt Prejudice or Damage to any particular Perſon, they will lay

lay out ſuch Way; which having done, the Surveyor is to make Return thereof to the Juſtices at the next Quarter-Seſſions of the Pariſh, where the ſame Way is, as well under his own, as the Hand of the Jurors, by whoſe Oath the ſame is laid out, to the end the ſame may be there Filed, or Recorded, and after known for a Publick High-Way. And if the ſaid Surveyor ſhall neglect his Duty therein, he ſhall forfeit Twenty Pounds. And be it further Enacted, That every Veſtry, with conſent of the Juſtices, may agree for two Years with particular Perſons for their parts and proportion of the Ways by them to be cleared, as alſo with the Surveyors, what part of the Pariſh they ſhall look after, and ſuch Agreements ſhall diſcharge the Parties from other Duties, than what is agreed for; as alſo the Surveyor from looking after any other part than what is allotted him; and ſuch Juſtices and Veſtry-Men are to Record all their doings touching the Ways in the Veſtry-Book: which Record in all places ſhall be deemed good Evidence.

And the ſaid Surveyors may reſpectively iſſue their Warrants to the Conſtable or Tything-Men to warn in Workers,

or to levy Money according to the Tax or Rate made as aforeſaid; and whoſoever ſhall fail to ſend in his proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay three Shillings *per* Day upon Conviction, to be Recovered before any Juſtice of the Peace by the Surveyor.

And if any Juſtice neglect his Duty touching the Premiſſes or any part thereof, he ſhall forfeit Ten Pounds, and every Veſtry-Man, Surveyor, Conſtable, Tything-Man, Juror, or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit five Pounds for each Offence.

All which ſaid Forfeitures ſhall be to the Uſe of the High-Ways, and if not exceeding Forty Shillings, to be Recovered by Action of Debt before any Juſtice of the Peace; if above Forty Shillings, in any Court of Record where no Eſſoign, Protection, or Wager of Law ſhall be allowed.

# An ACT

## *Appointing the Prices of Meat.*

BE it Enacted and Ordained by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That no Perſon or Perſons upon any pretence whatſover ſhall preſume to ask, demand, and receive for freſh Beef, Mutton, or Goat, any more, greater or higher rate or price, than hereafter is mentioned, *viz.* For freſh Beef or Goat four pence *per* Pound, and Mutton ſix pence, to be weighed without the Heads, Entrails, or Feet, and that the Sewet be ſold at no higher Rates than the Meats aforeſaid, under Penalty of forfeiting Twenty Pounds Currant Money of this Iſland, for every time they ſhall take, ask, or receive any higher Price. And if any Perſon or Perſons ſhall refuſe to ſell any Beef, Mutton or Goat by weight, he or they for every ſuch Offence ſhall forfeit Twenty Pounds Currant Money of this Iſland.

And be it further Enacted by the Authority aforeſaid, that any Perſon whatſoever that ſhall deſtroy any Turtle Neſts,

or take away any of the Eggs thereof, upon any Bay or Place within this Iſland, where the Turtle ſhall lay, ſhall forfeit Forty Shillings Currant Money of this Iſland, or receive ſo many Laſhes on the bare Back, as any Juſtice ſhall order, not exceeding Nine and Thirty for every ſuch Offence,

The one third part of all the aforeſaid Penal Sums of Money ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges thereof, one Third to the Church-Wardens for the Uſe of the Pariſh, the other Third to the Informer, to be Recovered in any Court of Record within this Iſland by Bill, Plaint or Information, in which no Eſſoign, Wager of Law, or Protection ſhall be allowed.

# An ACT

*Againſt Blaſphemy, and for preventing Diſorders in Ale-Houſes, Taverns and Victualling-Houſes.*

BE it enacted and ordained by the Governour, Council, and Aſſembly, and it is enacted and ordained by the Authority of the ſame, That no Perſon or Perſons whatſoever in this Iſland be enabled to have and receive any Licence or Licences from the Governour for the time being, to Retail any ſtrong Liquors, unleſs they bring Yearly Certificates under the Hands of two of the Juſtices of the Peace living in the ſame Precincts, where the ſame Perſon keeps, or intends to ſet up his Houſe of Entertainment, and have alſo given good Security in the Secretaries Office of One hundred Pounds, that he ſhall ſuffer no Diſorders to be committed in his ſaid Houſe, or any thing there done contrary to the Laws of *England*, or of this Iſland, and that no Perſons whatſoever preſume to ſell Rum or Rum-Punch or any other Mixture of

Rum, without Licence firſt obtain'd from the Juſtices in Seſſions, and Security given to the Clerk of the Peace of the ſaid Precincts, under the Penalty of Forty Shillings for every ſuch Offence.

*Provided* always, and it is hereby farther enacted and ordained, That whatſoever Perſon ſo Licenced as aforeſaid, ſhall entertain or receive any One in their Houſes, to Tipple or Drink in the Time of *Divine Worſhip* or *Service*, ſhall forfeit Twenty Shillings for every ſuch Offence, and the Perſon or Perſons there ſo found, ſhall pay each of them Five Shillings, both which Forfeitures ſhall be levy'd by Diſtreſs, by Warrant from any Juſtice of the Peace within this Iſland; and whoſoever ſhall by publick and open Profaneneſs or Blaſphemy diſhonour Almighty God, and be thereof duly convicted in the Supream Court of Judicature, ſhall be fined Twenty Pounds Currant Money of this Iſland, or more, at the Diſcretion of the Court for every ſuch Offence, and that ſuch as are either Servants or not worth ſo much, ſhall be liable to ſuch Corporal Puniſhment, as the Judges ſhall think meet, loſs of Life and Limb only excepted.

And

And it is farther enacted, That if any of the ſaid Perſons, ſo having received Licences as aforeſaid, ſhall keep or ſuffer any common Gaming in their Houſes, they ſhall forfeit Ten Pounds Currant Money of this Iſland; and whoſoever ſhall by falſe Dice or other Fraud or Deceit win any Money or other Things, ſhall forfeit treble the Value thereof, being convicted by Verdict, Confeſſion, or otherwiſe, and that no Sum exceeding Forty Shillings won at any Game, or Betting on the Side of any, ſhall be recoverable, and all Bonds, Contracts, and Securities whatſoever for above the Sum aforeſaid, won as aforeſaid, ſhall be void. *Provided* nevertheleſs, that nothing herein contained ſhall be deemed or conſtrued to hinder or abridge any Maker of Rum, but that by himſelf, Servants or others, he may vend and ſell the ſame pure and unmixt, any thing in this Act to the contrary in any wiſe notwithſtanding.

*Provided* alſo, That the aforeſaid Penalties mention'd in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, be one Half to our Soveraign Lord the King, for and towards the Support of the Government

of

of this Iſland, and the contingent Charges thereof, the other to the Informer, who ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no Eſſoign, Protection, Injunction, or Wager of Law ſhall be allowed.

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## An ACT

*Impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings.*

WHereas many Inconveniencies may ariſe unto the Inhabitants of this Iſland by being vexed and troubled with Suits at Law for ſmall and trivial Injuries, Debts, and Treſpaſſes, wherein the accuſtomary Fees and Charges uſually exceed the Original Debt and Damages; for Prevention whereof, Be it enacted and ordained by the Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That all Manner of Debts, Treſpaſſes, and other Matters, not exceeding the Value of Forty Shillings, wherein the Tythes of Lands are not concerned, ſhall

ſhall and may be heard, adjudged, and determined by any of his Majeſty's Juſtices of the Peace of this Iſland, within their reſpective Precincts without Appeal; which ſaid Juſtices are hereby required upon Complaint made, to grant a Warrant or Summons againſt the Perſon complain'd of, thereby requiring him to appear and anſwer the ſaid Complaint, and in Caſe of Non-appearance, to iſſue out a Warrant of Contempt directed to the Conſtable to bring the Contemnor before him, as well to Anſwer the ſaid Contempt, as the Plantiff's Action, and may if he ſee Cauſe Fine the Contemnor, provided the ſaid Fine exceed not Ten Shillings, to be for the Uſe of the Pariſh where ſuch Offence ſhall be committed, and after Judgment given in either Caſe, may grant a Warrant of Diſtreſs directed to the Conſtable, to levy the ſaid Fine, Debt, Damages and Charges upon the Defendants Goods and Chattels, who by Virtue thereof ſhall expoſe the ſame to Sale, returning the Overplus, if any be, to the Defendant, and for want of ſuch Diſtreſs, to take the Defendants Body into Cuſtody, and him carry and convey to the common Goal of the Precincts,

cincts, there to remain till he ſhall have ſatisfied the ſaid Debt and Charges; and it ſhall be lawful for the Juſtice of Peace to receive for each Warrant One Shilling and Three Pence, and no more, and for the Conſtable for Serving of each Warrant the like Sum, together with Six Pence for each Mile he ſhall be compell'd to travel in Execution of the Premiſes, provided the Whole exceed not Five Shillings; and the Juſtice is hereby required to keep a Record of all ſuch Proceedings, under the Penalty of Ten Shillings, the one Half to be for the Poor of the Pariſh, and the other Half to the Informer, to be recover'd as aforeſaid.

And whereas the Uncertainty of the Expiration of Laws heretofore made for the better Government of this his Majeſty's Iſland, may hereafter create ſome Doubts and Diſputes concerning the Validity of the ſeveral Judgments made and given by the ſeveral Judges and Juſtices of the Peace within this Iſland, as alſo all the Proceedings of the military Officers upon the ſame; for Prevention whereof, Be it farther enacted and ordained by the Authority aforeſaid, That all and every Judgment and Judgments

ments made or given by any of the Judges or Juſtices of the Peace within this his Majeſty's Iſland, upon or by Virtue of any of the aforeſaid Laws, and all other Proceedings whatſoever, and all and every Act or Acts, Thing or Things done or acted thereupon, are hereby ratified, confirmed and adjudged Valid and Lawful to all Intents and Purpoſes whatſoever; and all and every Judge and Judges of the ſeveral Courts, the ſeveral Juſtices of the Peace, the military Officers, and all other Perſons whatſoever within this his Majeſty's Iſland, that have any ways acted by or under the Authority of the aforeſaid Laws, or any of them, are hereby for ever ſaved and kept harmleſs, and indemnified againſt all Manner of Perſons whatſoever; and if any Perſon ſhall be ſued or any ways moleſted by Reaſon thereof, it ſhall be lawful for him or them ſo ſued or moleſted to plead the general Iſſue, and give this Act in Evidence, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

An

## An ACT

### *Rating Liquors Sold by Retail.*

BE it enacted and ordained by the Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after Publication hereof, all Vintners and Tavern-keepers, or any other Perſon or Perſons who do or ſhall utter or ſell by Way of Retail *Madera* Wines or Brandy, and ſhall preſume by any Means directly or indirectly to take or receive above the Rates hereafter mention'd for the aforeſaid Liquors, *viz.* For *Madera* Wine Fifteen Pence the Quart, and Brandy two Shillings and Six Pence the Quart, and ſo proportionably for a greater or leſſer Quantity, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence, to be levy'd by Warrant from any of his Majeſty's Juſtices of the Peace of the Precincts where the Fault is committed, on the Goods and Chattels of any Perſon or Perſons ſo Offending, the one Half of which Forfeiture ſhall be to the Church-Wardens for the Uſe of the Pariſh, the other to the Informer, any

Law,

Law, Cuſtom, or Uſage to the contrary notwithſtanding.

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## An ACT

### *For the Reſtraining and Puniſhing Privateers and Pirates.*

WHereas nothing can more contribute to his Sacred Majeſty's Honour, than that ſuch Articles as are concluded and agreed on in all Treaties of Peace, ſhould by all his Majeſty's Subjects, according to their Duty, be moſt inviolably preſerved and kept, in and over all his Majeſty's Dominions and Territories; and whereas not only againſt ſuch Treaties of Peace made by his Majeſty with his Allies, but alſo contrary to his Majeſty's Royal Proclamation, ſeveral of his Subjects have and do continually go off from this his Majeſty's Iſland of *Jamaica* into foreign Princes Services, and Sail under their Commiſſions, contrary to their Duty and good Allegiance, and by fair Means cannot be reſtrained from ſo doing.

Be

Be it therefore enacted by the Governour, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after Publication hereof, it ſhall be Felony for any Perſon which now doth, or within four Years laſt paſt heretofore hath, or hereafter ſhall inhabit or belong to this Iſland, to ſerve in *America* in an hoſtile Manner, under any foreign Prince, State, or Potentate, or any employed under any of them againſt any other foreign Prince, State, or Potentate, in Amity with his Majeſty of *Great-Britain*, without ſpecial Licence for ſo doing, under the Hand and Seal of the Governour or Commander in Chief of this Iſland for the Time being; and that all and every ſuch Offender, or Offenders contrary to the true Intent of this Act, being thereof duly convicted in his Majeſty's ſupream Court of Judicature within this Iſland, to which Court Authority is hereby given to hear and to determine the ſame as other Caſes of Felony, ſhall ſuffer Pains of Death without Benefit of the Clergy.

*Provided* nevertheleſs, That this Act, nor any thing therein contained, ſhall extend to any Perſon or Perſons, which now are, or have been in the Service

or

or Employment of any foreign Prince, State, or Potentate whatſoever, that ſhall return to this Iſland, and leave and deſert ſuch Service and Employment before the Firſt Day of *January* next enſuing, rendering themſelves to the Governour or Commander in Chief for the Time being, and give him ſuch Security as he ſhall appoint for their future good Behaviour, and alſo that they ſhall not depart this Iſland without the Gover-vernours Ticket.

And for the better and more ſpeedy Execution of Juſtice upon ſuch, who have committed Treaſon, Piracies, Felonies, and other Offences upon the Sea, ſhall be apprehended in, or brought Priſoners to this Iſland, Be it farther enacted by the Authority aforeſaid, That all Treaſons, Felonies, Piracies, Robberies, Murthers, or Confederacies committed, or that hereafter ſhall be committed upon the Sea, or in any Haven, Creek, or Bay, where the Admiral hath Juriſdiction, ſhall be inquired, tryed, heard, determined, and judged within this Iſland, in ſuch like Form, as if ſuch Offence had been committed in and upon the Land; and to that End and Purpoſe Commiſſions ſhall be

had under the King's Great Seal of this Iſland, directed to the Judge or Judges of the Admiralty of this Iſland for the Time being, and to ſuch other ſubſtantial Perſons, as by his Majeſty's Governour or Commander in Chief of this Iſland, for the Time being, ſhall be named or appointed; which ſaid Commiſſioners or ſuch a *Quorum* of them, as by ſuch Commiſſion ſhall be thereunto authorized, ſhall have full Power to do all Things in and about the Inquiry, Hearing, Determining, Adjudging and Puniſhing of any of the Crimes and Offences aforeſaid, as any Commiſſioners to be appointed by Commiſſion under the Great Seal of *England*, by Virtue of a Statute made in the Twenty Eighth Year of the Reign of King *Henry* the Eighth, are impowred to do and execute within the Kingdom of *England*; and that the ſaid Offenders, which are, or ſhall be apprehended in, or brought Priſoners to this Iſland, ſhall be liable to ſuch Order, Proceſs, Judgments, and Execution, by Virtue of ſuch Commiſſion to be grounded upon this Act, as might be awarded or given againſt them, if they were proceeded againſt within the Realm of *England*, by Virtue of any Commiſſion grounded upon the ſaid Statute.

And

And all Tryals heretofore had againſt ſuch Criminal or Criminals before any Judge or Judges by Virtue of ſuch Commiſſion or Authority at any Time heretofore granted, and all Proceedings thereupon, are hereby ratified, confirmed and adjudged lawful, and all ſuch Judges, with all and every the inferiour Officers, that have acted thereby, are hereby indemnified to all Intents and Purpoſes whatſoever; and in Caſe they, or any of them, ſhall at any Time hereafter be ſued, vexed, moleſted or troubled for any ſuch their Proceedings as aforeſaid, he or they ſo ſued, vexed, or moleſted, ſhall plead the general Iſſue and give this Act in Evidence, any Law, Statute, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

Be it farther enacted by the Authority aforeſaid, That all Commiſſion-Officers, in their ſeveral Precincts within this Iſland, are hereby required and empowered upon his or their knowledge or Notice given, That any Privateers, Pirates or other Perſons ſuſpected to be upon any unlawful Deſign, are in any place within their reſpected Precincts, to raiſe and levy ſuch a Number of well

Armed Men, as he or they ſhall think needful for the Seizing, Apprehending and carrying to Gaol all and every ſuch Perſon or Perſons; and in caſe of any Reſiſtance or Refuſal to yield Obedience to his Majeſties Authority, it ſhall be Lawful to kill or deſtroy ſuch Perſon or Perſons; and all and every Perſon or Perſons that ſhall Oppoſe or Reſiſt, by Striking or Firing upon any of the Commanded Parties, ſhall be deemed, taken, and adjudged as Felons without Benefit of the Clergy; and every ſuch Officer that ſhall omit or neglect his Duty herein, ſhall forfeit Fifty Pounds Currant Money of this Iſland for every ſuch Offence, to be Recovered in any of his Majeſties Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, or Protection ſhall be allowed; one Moyety thereof to be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, and the other Moyety to the Informer; and all and every Perſon or Perſons, that upon Orders given him or them ſhall refuſe to repair immediately with his or their Arms well fixed, and Am-

Ammunition, to ſuch Place or Places as ſhall be appointed by the ſaid Officer, and not readily obey his Commands in the Execution of the Premiſes, ſhall be liable to ſuch Fine or Coporal Puniſhment, as by a Regimental Cout Marſhal ſhall be thought fit.

*Provided* farther, That the Governour's Aſſent to the Paſſing of this or any other Act, ſhall not extend, or be conſtrued to extend to the Determining of this preſent Seſſions of the Aſſembly.

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## An ACT

### *Aſcertaining the Quit-Rents and Manner of Receipt thereof.*

BE it enacted and ordained by the Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That a Patent ſealed under the Great Seal of this Iſland, and recorded in the Office of Inrolments eſtabliſhed in this Iſland, ſhall Evidence the Patentee or Patentees juſt Right and Title to all and every parcel of Lands, Houſe or Houſes, Tenements or other

Things in the ſaid Patent granted, and be a good Bar to the Right and Title of his Majeſty, his Heirs and Succeſſors: And to the End his Majeſties Grants may not be hindred, delayed, or obſtructed, the Keeper of the Seal, or Chancellor for the Time being, ſhall and is hereby obliged the next *Tueſday* before each Grand Court to cauſe all ſuch Grants and Patents, as are in Office, to be ſealed at St. *Jago de la Vega*, and all inferiour Officers, who are concerned in drawing and paſſing the ſame, are then and there likewiſe to be ready to do their Duty.

And foraſmuch as all Titles of Land are derived from his Majeſty, and the Land hath been laid out, and Patents made by his Majeſties Officers, in which many Errors or Miſtakes may have happened which according to the ſtrict Rules of Law, might make many Grants void in All, or in Part; Be it therefore enacted by the Authority aforeſaid, That all Lands granted, or hereafter to be granted by his Majeſty, his Heirs or Succeſſors, upon Surveys made or to be made, be for ever good to the Patentee, and to thoſe to whom the Right of the Patentee ſhall come, for all Lands comprized

prized within the Survey or Bounds, any Miſnomer, Misbounding or Miſtaking of Quantity, or other Error notwithſtanding, againſt his Majeſty, his Heirs and Succeſſors, or any other Perſon or Perſons claiming under him or them for ever; and that all ſuch Grants ſhall be taken as ſtrongly againſt his Majeſty, his Heirs and Succeſſors, as the Grants of any other Perſon or Perſons ſhould or ought to be taken againſt him or them, or his or their Heirs or Aſſigns. *Provided neverthelefs*, and be it farther enacted by the Authority aforeſaid, That where either his Majeſty or the Patentee are aggrieved by Miſtake in Quantity, a Re-ſurvey ſhall be made, by One Surveyor indifferently Sworn between the King and Patentee, or who claimeth in his Right, before any of his Majeſties Juſtices of the Peace, upon which Re-ſurvey a Confirmation of the former Grant ſhall iſſue under the Seal of this Iſland reciting the Error, and reſerving for the future the ſame Rent mentioned in the ſaid Grant according to the juſt Quantity found by ſuch Re-ſurvey, for which Confirmation the Chancellor ſhall receive Ten Shillings, and the Clerk of the Patents Eight

Shillings, and no more, to be paid as all other Charges of the ſaid Re-ſurvey by the Party requiring the ſame, but no Retroſpect ſhall be had to what Rent ought to have been paid, be the Quantity more or leſs, any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That if any Diſpute ſhall ever ariſe upon any Survey, wherein the Survey or Plot given into the Patent-Office ſhall vary from the real Run and marked Lines, in all ſuch Diſputes the Judges before whom the ſame ſhall happen, ſhall adjudge the real Run and marked Lines, which are proved before them to be Run and marked, to be the Bounds of the Lands granted, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

*And whereas* there have been Uncertainties and Diſputes in the Payment of his Majeſties Quit-Rents reſerved in the Patents formerly granted, by Reaſon of the Words, manured and planted; and whereas his ſaid Majeſty has been and now is graciouſly pleaſed, that whatſoever ſhall ariſe from the Quit-Rents, ſhall be applied towards the Support of the

the Goverment, and defraying the contingent Charges of this Iſland; in Conſideration whereof, and to aſcertain the ſame, Be it enacted and ordained by the Authority aforeſaid, That every Parcel or Parcels of Land, of what Nature and Quality ſoever, granted and patented before the Twenty fifth Day of *June*, One Thouſand Six Hundred Seventy and One, ſhall for Arrears and growing Rents pay for every Thirty Acres annually the Sum of One Shilling, and ſo porpotionably for every Parcel under One hundred Acres, and for every hundred Acres Two Shillings Six Pence, and proportionably for a greater Quantity, and for all Lands of what Quality ſoever from the aforeſaid time to the Twelfth Day of *March* one Thouſand Six Hundred Seventy and Four, ſhall pay one half Penny *per* Acre, and ſo proportionably for a greater Quantity; and for Foot-Land, one half Penny *per* Foot for two ſides of the Square added together, and ſo proportionably for a greater or leſſer Quantity, as a certain eſtabliſhed Quit-Rent and Acknowledgement to his Majeſty, his Heirs and Succeſſors for ever, any Law, Cuſtom, or Uſage, or any thing contained in the ſaid Patents to the contrary notwithſtanding. And

And for the more ſpeedy and eaſy Collecting of the ſaid Quit-Rents, Be it further Enacted by the Authority aforeſaid, That the Receiver of the Quit-Rents, or his Lawful Deputy ſhall twice every Year (to ſay) after each Feaſt of St. *Michael* the Arch-Angel, and of the Annunciation of the Bleſſed Virgin *Mary*, keep an Office in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catharines*, and in the Town of *Port Royal*, during the ſpace of one Month at each Place, and then and there to receive the Quit-Rents from the Perſons concerned, which ſaid Office he ſhall attend from the Hours of Eight to Eleven before Noon, and from the Hours of Two to Five in the Afternoon; and upon Recept of his Majeſties Quit-Rents, thereof to Acquit and Diſcharge all Perſons, on the Penalty of Five Pounds *Sterling*, which ſaid Penalty ſhall be, the one half to his Majeſty, his Heirs and Succeſſors for and towards the Support of the Government of this Iſland and Contingent Charges thereof, and the other half to the Informer, to be Recovered in any Court of Record within this Iſland, wherein no Wager of Law, Eſſoign, Portection or Injunction ſhall be allowed.

An

# An ACT

*For preventing Damages in Plantations, preſerving of Cattle, and regulating Hunting.*

BE it Enacted by the Governour, Council, and Aſſembly, and it is hereby Enacted by the Authority of the ſame, That all Plantations bounding on *Savannas*, High-Ways, Watering-Places, and all Paſtures made out of Wood-Land, ſhall make ſufficient Fences, which ſufficient Fences ſhall be judged by Oath of Three Freeholders before any one of his Majeſties Juſtices of the Peace; which ſaid Freeholders ſhall be Choſen, one by the Party grieved, the other by the Owner of the Cattle, and the other by the Juſtice of the Peace, and if either of them do not appear, or refuſe to make their Choice, that then in ſuch Caſe the ſaid Juſtice ſhall name two, and what Damage ſhall be done by any Stock in any Plantation ſo Fenced as aforeſaid, the ſaid Damage to be Appraiſed upon the Oath of the ſaid Freeholders, and the Owners of the ſaid Stock ſhall pay double the Damage

Damage ſo committed or done by their Cattle, Proof being made appear by the Oath of one or more, to be Recovered before any Juſtice of the Peace, if not exceeding Forty Shillings, if above, in any Court of Record by Action of Debt.

And it is further Enacted and Provided by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall kill or deſtroy any Cattle, Horſe, Mare, Mule, or Aſinego, but he, ſhe, or they who who ſhall kill or deſtroy any of the aforementioned Stock, ſhall forfeit for each they ſhall kill or deſtroy the Sum of Fifteen Pounds Currant Money, to be Recovered by Action of Debt in any Court of Record within this Iſland by the Owner or Proprietor of the ſaid Beaſt.

And it is further Enacted by the Authority aforeſaid, that all Owners of Neat Cattle ſhall keep one White Man at each reſpective Pen, and at all Pens whereunto belongs above Two Hundred Cattle, the Owner of ſuch Pen ſhall keep two White Men, upon pain of forfeiting Ten Pounds for every White Man that ſhall be wanting, as before, for the ſpace of three Months, to be Recovered in any Court of Record by Action of Debt, the the one half to the Pariſh for the Uſe of the

the Poor, the other Moyety to the Informer, or him that ſues for the ſame.

And it is further Enacted by the Authority aforeſaid, that all Perſons and Owners of Cattle, that ſhall fail to Pen their Cattle once in three Nights, at the leaſt, that all ſuch Cattle doing Damages ſhall pay double the Damage, to be Recovered as aforeſaid.

And it is further Enacted by the Authority aforeſaid, That all Strays of any ſort of Cattle, where-ever they ſhall be found and taken up, ſhall belong to the Proprietor of the Ground, where they are accuſtomed to feed, *Provided* the ſaid Proprietor cauſe the ſaid Stray or Strays to be Cryed by the common Cryer three diſtinct Court Days in the Court of the ſaid Precinct, deſcribing all the Marks of the ſaid Stray, with the Age and Kind; and further, that the ſaid Proprietors do turn looſe again the ſaid Stray, to continue in the ſame feeding Ground where the ſame was accuſtomed to feed, and tying a Withe about the Neck of the ſaid Stray (which ſhall be a Common Mark for Strays) and in that manner to continue one whole Year from the firſt taking up or Penning of the ſame. *Provided* further, that if in the mean time no Perſon

ſon ſhall Challenge or Claim the ſame, that then the property of all ſuch Strays remain to the Proprietor of the Ground as before, they giving Satisfaction for taking up the ſaid Stray. *Provided always*, That this Act extend not to any Ear-Marked or Burnt-Marked Beaſt, Horſe, Mare, Colt, or any other ſort of Cattle, but all ſuch ſhall belong to the Owners or Proprietors of the ſame, if Claimed at any time after the Expiration of the Year.

It is further Enacted by the Authority aforeſaid, That the Clerks of each reſpective Courts of Record in this Iſland are hereby empowered to make Entry and Toll any ſort of Cattle, that ſhall be ſold from one Perſon to another, taking as near deſcription of the ſeveral Marks, Natural or otherwiſe, as can be, and vouched by two ſufficient Perſons known by the Clerk, which Entry or Toll ſhall be good againſt any former Sale or Bargain, or any other Title whatſoever, except in all ſuch Caſes where the Provoſt Marſhal or his Deputy hath levied the ſame by Execution, and the Clerk of the ſaid Court ſhall take Twelve Pence for each ſuch Entry and for keeping a Record of the ſame, and no more.

And

And it is further enacted by the Authority aforeſaid, that no Perſon whatſoever ſhall preſume to carry any Fire, or ſmoak Tobacco in any *Savanna* or Plantation, or High-Ways whatſoever, under the Penalty of Ten Shillings for each time they ſhall ſo offend, and be further liable to pay all Damages that ſhall accrue to any Perſon or Perſons by means of the ſame, to be Recovered (if not exceeding Forty Shillings) before any Juſtice of the Peace, if exceeding Forty Shillings, by Action of Debt in any Court of Record within this Iſland: and if the Perſon ſo offending, be not able to make Satisfaction, then the ſaid Perſon ſhall be whipped for every ſuch offence at the Diſcretion of any one Juſtice of the Peace. *Provided*, that this Clauſe extend not to Owners of Land, to carry Fire in their own Plantations, or burn their own *Savanna*, yet to be liable as before, if thereby they injure or burn any other Perſons *Savannas*, or Plantations; and that all Penalties for carrying of Fire, ſhall belong to the Perſon that ſues for the ſame.

And whereas it is found by experience that ſeveral Common Drivers of Cattle, or Horſe-Catchers do frequently Ride and drive Gangs of Mares and other Cattle

tle from off their own feeding Ground or Paſture, whereby thoſe that are big, caſt their Young, and Young ones are often ſeparated from their Dams, and do likewiſe often deface the Marks of ſuch Cattle and Horſes, or new Mark them for themſelves or others with wrong Marks, to the great Damage of all ſuch Proprietors; for prevention whereof, Be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall hereafter preſume to drive or ride in any *Savanna* as a common Horſe-Catcher after any Horſes or Mares, without having firſt given Security for their Honeſty, and obtain leave from the Proprietor or Proprietors of ſuch *Savannas* or the Major part of them, under the Penalty of Twenty Pounds, to be Recovered as aforeſaid; one third part whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the Contingent Charges of the ſame; one third part to the Propietor or Proprietors of ſuch *Savannas* where the Offence ſhall be committed; the remaining third to the Informer, or he that ſhall ſue for the ſame.

And

And it is further enacted by the Authority aforeſaid, That if any ſuch common Driver or Horſe-Catcher, or any other Perſon employed by or for him or them, ſhall preſume to Sell or Barter any Horſe, Mare, or Colt, or other Cattle, but ſuch as he ſhall bring two ſufficient Freeholders of the place where he doth Inhabit, or other good ſufficient Evidence, to vouch before the Clerk of ſome Court of Record within the Precincts where they ſhall be Sold or Bartered as aforeſaid, that he bred them, or otherwiſe came Lawfully poſſeſſed of them, under the Penalty of Fifty Pounds, to be Recovered and Diſpoſed of as aforelaid. And whoſoever ſhall Buy, Barter, or Bargain with any ſuch known Horſe-Catcher, or Driver, for any Cattle or Horſes, without the ſame be firſt vouched as aforeſaid, he, ſhe, or they ſo Offending ſhall for every ſuch Offence forfeit and pay the Sum of Twenty Pounds, to be Recovered and Diſpoſed of as aforeſaid.

And it is further enacted by the Authority aforeſaid, That if any Driver or Horſe-Catcher ſhall at any time hereafter fraudulently or deſignedly put any falſe Burnt Mark, Ear-Mark, or any other Marks, or deface any old Mark, he or

they ſhall for ſuch Offence be guilty of Felony.

It is further enacted by the Authority aforeſaid, That no Perſon or Perſons that are Keepers or Owners of Goats, ſhall ſuffer their Goats to feed in any Perſons Land except their own; and if any do ſuffer the ſame to feed in any Perſons Land, it ſhall be deemed Treſpaſs, and the Owner of the Land ſhall Recover in any Court of Record full Coſts of Suit in the ſaid Action, beſides what Damage ſhall be given by the Jury.

Be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall be capable of Hunting with any Gang of Dogs in this Iſland, that is not a Planter in it, and hath not at leaſt five Acres of Land planted; and that any Perſon that ſhall preſume to Hunt any Gang of Dogs within this Iſland, being not Qualified as aforeſaid, ſhall forfeit for every ſuch Offence his Gang of Dogs, and the Sum of Ten Pounds *Sterling*, to be Recovered in any Court of Record within this Iſland, by Bill, Plaint, or Information; the one Moyety or half part of all ſuch Forfeitures ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for the Support of the Government

vernment and contingent Charges thereof, and the other Moyety ſhall be to the Informer, or any Perſon that ſhall ſue for the ſame. And it ſhall not be Lawful for any Planter or Planters in this Iſland to own any Hunting Gang of Dogs, which ſhall not properly belong to themſelves, their Mates in planting, or Hunted by their Servants, under the Penalty of Ten Pounds *Sterling* for each time he or they ſhall ſo Offend, to be Recovered in manner and form aforeſaid, and to be diſpoſed of as aforeſaid.

And it is further enacted and ordained by the Authority aforeſaid, That if any Hunting Gang of Dogs ſhall kill or maim any Tame Stock belonging to any Planter or Perſon whatſoever, or do him or them any Prejudice or Damage, the Party ſo Damnified, if the Damage amount to not above Forty Shillings, Satisfaction for the ſame ſhall be Recovered by Warrant from any Juſtice of the Peace, but if it amount to more than Forty Shillings, the Perſon or Perſons ſo injured ſhall ſue for the ſame at common Law. And if any Perſon ſhall kill or maim any manner of Tame Stock, as Sheep, Hogs, or Goats, either by Hunting or otherwiſe, and ſhall not forthwith diſcover the ſame to the next

Juſtice or Conſtable, to the end the Damage may be known and Recovered, as aforeſaid, ſuch Offender killing, maiming or injuring any ſuch Tame Stock, and not diſcovering it as aforeſaid, ſhall pay Five Pounds for every Default, beſides Damages to be Recovered by the Party Injured in any Court of Record.

It is further enacted and ordained by the Authority aforeſaid, That no Perſon whatſoever ſhall Hunt any Gang of Dogs within four Miles of any Crawl or Settlement (except in his own Land, or leave from the Proprietor of the ſame) upon pain of Ten Pounds *Sterling*; and that no Perſon or Perſons whatſoever ſhall ſet any Snare or Engine in any place whatſoever (his planted Ground only excepted) under Penalty of Forty Shillings for every time any Perſon ſhall ſo Offend in either of the Premiſſes, to be Recovered as aforeſaid, and diſpoſed of as aforeſaid, and to pay all other Damages that ſhall accrue by the ſame.

# An ACT

## *Encouraging the Importation of White Servants.*

FOr*aſmuch* as it is provided in an Act of this Country, Intituled, An Act for Regulating Servants, for the ſtrengthening and better Defence of this his Majeſties Iſland, every Maſter and Owner of Slaves ſhall have ſuch quantity of White Servants proportionable to the Number of Slaves as is therein directed, and as by the ſaid Act doth more plainly appear; and to the intent alſo all due Encouragement may be given Merchants, Maſters, and Importers of White Servants to bring the ſame, and may not then be diſcouraged, nor their Servants lie upon their Hands for want of Buyers.

Be it enacted by the Governour, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Merchant, Maſter, or Importer of White Servants, ſhall preſume to Sell any White Servant or Servants, before they have been Ten Days Imported, under

the Penalty of Ten Pounds for every ſuch Servant ſo Sold, the one Moyety to be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, the other Moyety to the Informer, to be Recovered by Bill, Plaint, or Information in any Court of Record within this Iſland, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed. *Provided* nevertheleſs, That for the Ten Days after Importation of any ſuch White Servants, as aboveſaid, the Factor or Seller ſhall pay the Maſter for their Diet aboard the Ship; nor ſhall they be removed by the ſaid Maſter from thence before the Ten Days be paſt, under the Penalty aforeſaid, to be Recovered and Diſpoſed of as aforeſaid.

And be it likewiſe enacted by the Authority aforeſaid, That whatſover Maſter or Commander of any Ship or Veſſel, that ſhall bring in or Import into this Iſland to the Number of fifty White Male Servants, and due proof upon Oath being thereof made before the Naval Officer, (who is hereby empowered to adminiſter the ſame) ſhall for that Voyage be altogether freed and exempted from paying

ing any Port Charges for the ſaid Ship or Veſſel, wherein the ſaid Servants ſhall be Imported, any other Cuſtom or Law to the contrary notwithſtanding.

And be it further enacted by the Authority aforeſaid, That any Debt or Debts contracted for any Servant or Servants Sold within this Iſland, ſhall or may be Recovered by Warrant from any Juſtice of the Peace, in the ſame manner as is provided in the Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings, any Law, Cuſtom, or Uſage heretofore to the contrary notwithſtanding.

And it is alſo hereby enacted by the Authority aforeſaid, That from and after the Twenty Fifth Day of *March* next enſuing, no Perſon or Perſons whatſoever, employing themſelves in the Trades or Exerciſes of Coopers or Porters within this Iſland, ſhall uſe any Negro Slave or Slaves in their ſaid Trades or Occupations, under the Penalty of Twenty Pounds for every ſuch Offence, to be Recovered and Diſpoſed of as aforeſaid.

*Provided* alſo, That nothing be herein Conſtrued to prohibit any Maſter or Owner of any Sugar-Work within this Iſland from making Cask at their reſpective

Plantations, or other convenient place, as heretofore, any thing in this Act to the contrary notwithſtanding.

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## An ACT

### *For Regiſtring of Deeds and Patents.*

BE it enacted by the Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a Deed in due form of Law made, and within three Months after the Date thereof acknowledged by the Party or Parties that grant the ſame, or proved by the Oath of one ſufficient Witneſs or more before the Governour, or ſome one of the Judges of the Courts of this Iſland, and the ſame recorded at length in the Office of Enrolments, which ſaid Office ſhall always be kept at *St. Jago de la Vega*, within the ſaid three Months, ſhall be valid to paſs the ſame without Livery, Seizin, Attornment, or any other Act or Ceremony in the Law whatſoever; and that no Deed hereafter made without ſuch Acknow-

knowledgment or Proof and Enrolment, ſhall be ſufficent to paſs away any Freehold or Inheritance, or to grant any Leaſe for above the ſpace of three Years.

*Provided* nevertheleſs, That any Old Deeds or Conveyances heretofore made for Lands or Houſes, and omitted to be recorded upon being acknowledged or proved, and at any Time after the making hereof recorded in the ſaid Office of Enrolments, ſhall be effectually valid and of force; but if it ſhall happen that any ſecond Bill of Sale or Conveyance for a valuable Conſideration be made by the ſaid Vendor or his Heirs for the ſame Land or Houſes, or any Part thereof, and the ſame be duly executed and recorded, then it is hereby declared, that the laſt Vendee ſhall have and enjoy the ſaid Land or Houſes, any thing in this Proviſo or otherwiſe to the contrary notwithſtanding. And if any Vendee hath omitted to execute and inroll his Deed within the Time as aforeſaid, but ſhall at any time afterwards have done the ſame, no ſecond Sale being made by the firſt Vendor, his Heirs or Executors, the ſame ſhall nevertheleſs be good to the ſaid Vendee, his Heirs and Executors, and

and a perpetual Bar againſt the firſt Vendor, his Heirs and Executors, any thing in this Act or any other to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That all Deeds and Conveyances granted and made out of this Iſland, and remitted hither, being proved before the Governour or any of the Judges of the Courts of Common-Pleas as aforeſaid, and all thoſe Deeds and Conveyances where any Grantor or Conveyancer ſhall perſonally appear in his Majeſties Court held before the Lord-Mayor and Aldermen of the City of *London* for the Time being, and ſhall then and there own and acknowledge ſuch Deed, Grant or Conveyance, to be his Act and Deed, and an Atteſt thereof be made under the Seal of the Mayorality of the ſaid City, and the ſame be recorded in the aforeſaid Office within ſix Months of the Arrival of the Ship that brought the ſame, ſhall to all Intents and Purpoſes whatſoever be as valid, as if the ſaid Deeds or Conveyances had been here made, acknowledged, proved and recorded according to the Form and Time herein before appointed.

*Pro-*

*Provided* nevertheleſs, That if any Perſon here lawfully empowred, ſhall in Purſuance of that Power, make Sale of any Lands or Freehold to any Perſon whatſoever within this Iſland, and the Deeds thereof be duly proved and recorded according to the true Meaning of this Act, before any Conveyance from the Proprietor or Proprietors of the ſame Land or Freehold or any Part thereof, be here produced, proved and recorded as aforeſaid, the ſaid Deed ſo made and paſſed here ſhall ſtand good and effectual in the Law to all Intents and Purpoſes whatſoever.

And it is hereby farther enacted and ordained by the Authority aforeſaid, That any Mortgage of any Lands, Tenements, real or perſonal Eſtates whatſoever, within this his Majeſties Iſland, having received full Satisfaction and Payment of all ſuch Sum and Sums of Money as are really due to him by ſuch Mortgage, ſhall at the Requeſt of the Mortgager, enter Satisfaction upon the Margent of ſuch Mortgage Recorded or to be Recorded in the Office of Enrolment, which ſhall for ever hereafter diſcharge, defeat, and releaſe the ſame, and ſhall likewiſe per-

perpetually bar all Actions brought, or to be brought thereupon in any Court of Record within this Iſland; and if ſuch Mortgagee ſhall not within three Months after Requeſt and Tender made for his reaſonable Charges, repair to the Office of Enrolments, and there make ſuch Acknowledgment as aforeſaid, he, ſhe, or they ſo refuſing, ſhall for every ſuch Offence forfeit and pay unto the Party or Parties aggrieved the Sum of Fifty Pounds Currant Money of this Iſland, to be recover'd in any of his Majeſties Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoign, Wager of Law, or Protection ſhall be allowed.

And be it farther enacted and ordained by the Authority aforeſaid, That it ſhall and may be lawful for the Judges before whom ſuch Acknowledgment of Deeds or other Writings are and ſhall be made, to demand and receive for every Deed of the Value of Twenty Pounds or more, Ten Shillings, and for every Deed under the Value of Twenty Pounds, Five Shillings, and no more, under the Penalty of Twenty Pounds, the one Half to be to our Soveraign Lord

the

the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, and the other half to the Informer, to be Recovered as aforeſaid.

And be it further enacted by the Authority aforeſaid, That the Clerk of the Enrolments ſhall and may take and receive for Enrolling and Copying an Ordinary Deed, Grant, or Patent for one or more Parcels of Land, or any Deed or Conveyance not exceeding the length of ſuch Patent, five Shillings; for every Deed exceeding the length aforeſaid eight pence *per* ſheet, accounting Twenty Lines to a ſheet, and eight Words to a Line; for every ſhort Writing not exceeding the length aforeſaid, Twelve Pence; for Recording every Plot, one Shilling and Three Pence; for ſearching the Record, Twelve Pence; and for Acknowledging Satisfaction in the Margent of a Mortgage Recorded, one Shilling and Three Pence, and no more, under the Penalty of Ten Pounds to the Uſes, and to be Recovered as aforeſaid.

And be it likewiſe enacted by the Authority aforeſaid, That all Patents already granted and not Enrolled, ſhall be Enrolled

rolled in the Office of Enrolments within ſix Months, and all Patents hereafter to be granted ſhall be Enrolled within ſix Months after the Sealing ſuch Patents; which Enrolments, as likewiſe all ſuch as are already there Enrolled, ſhall be good and valid in the Law, notwithſtanding any Clauſe inſerted in the ſaid Patents directing the contrary.

And whereas it is moſt manifeſt, That the Eſtates of ſeveral Orphans have been preſerved and vaſtly Improved by being, during their Minority, Leaſed out by their Guardians; and whereas it may be Diſputable whether ſuch Leaſes are Warranted by the Laws of *England*.

Be it therefore enacted and ordained by the Authority aforeſaid, That all Leaſes heretofore made or granted, or that hereafter ſhall be made or granted, of the Eſtate of any Orphan, by the reſpective Guardian, for any term of Years, not exceeding the Minority of ſuch reſpective Orphans, ſhall be good and valid in the Law, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

*Provided* always, That this Act or any thing therein contained, ſhall not extend to contradict or alter any Power given

ven or to be given by the Parent to any Guardians, or to give liberty for the future to any Guardian to Leaſe out the Eſtate of any Heireſs for any longer Term or Time, than till ſhe ſhall compleat the Age of Fourteen Years.

Be it likewiſe enacted and ordained by the Authority aforeſaid, That the Clerk of the Enrolments, or whoſoever ſhall execute the ſaid Office for the time being, do find two ſufficient Sureties, with himſelf, to become bound to our Soveraign Lord the King, his Heirs and Succeſſors, in a Bond of the Penalty of Two Thouſand Pounds, for the true and faithful Execution of the ſaid Office, and for keeping of the ſame in the Town of St. *Jago de la Vega*, as is herein before declared, and not elſewhere; which ſaid Bond ſhall be Recorded in the Supream Court of Judicature within this Iſland, and be kept by the Chief Juſtice of the ſame for the time being, to be made uſe of according as is directed in an Act, Intituled, An Act Impowering the Secretary to take Security; and whoſoever after Publication hereof ſhall Officiate in the ſaid Office before he hath given ſuch Security as aforeſaid, he or they ſo Offending ſhall forfeit the Sum of five Hundred

dred Pounds, to be Recovered by Bill, Plaint, or Information, in any of his Majesties Courts of Record within this Island, wherein no Essoign, Protection, or Wager of Law shall be allowed the Defendant; one Moyety whereof shall be to our Soveraign Lord the King, his Heirs and Successors, for and towards the Support of the Government of this Island, and the contingent Charges thereof, and the other Moyety to him or them that shall prosecute the same.

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## An ACT

*Impowering the Church-Wardens of St.* Catherines *to receive twelve pence* per *Tun, for all Goods made up in Cask that are Landed on, or Shipped from the Bridge at* Passage Fort, *for maintaining and repairing the same.*

WHereas it is evident that the making and repairing the Bridge at *Passage Fort* hath been very chargeable to

to the Pariſh of St. *Catherines*, conſidering the ſaid Bridge is for the publick Uſe of ſeveral Pariſhes, in reſpect whereof ſome care ought to be taken for eaſing the ſaid Pariſh of the great Charge they are at in maintaining the ſame, and that the ſeveral Perſons that make uſe of the ſaid Bridge, ſhould proportionably pay towards the do.ng of it.

Be it therefore enacted by the Governour, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after the making hereof, all Goods whatſoever made up in Cask, and that are Landed either upon, or Shipped from the ſaid Bridge, ſhall pay Twelve Pence *per* Tun, and ſo proportionably for a greater or leſſer quantity.

And it is enacted by the Authority aforeſaid, That the Church-Wardens of St. *Catherines* for the time being, ſhall take care that the Bridge be kept in ſufficient Repair, and in caſe of their Neglect therein, that then the aforeſaid Church-Wardens ſhall forfeit reſpectively Ten Pounds; one half thereof to the Informer, and the other half to the Poor of the ſaid Pariſh, to be Recovered by Bill, Plaint, or Information in any Court

of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

And it is further enacted and declared by the Authority aforeſaid, That the Church-Wardens of the ſaid Pariſh of St. *Catherines*, are hereby Impowered to Appoint ſuch Perſon or Perſons as they ſhall think fit for collecting the aforeſaid Duty, and to employ the ſame to the uſe and behoof of the aforeſaid Pariſh; and if any Perſon or Perſons ſhall refuſe to pay the aforeſaid Duty, it ſhall be lawful for ſuch Collector, as ſhall be appointed by the Church-Wardens aforeſaid, to detain or keep in his Poſſeſſion the Goods of the Perſon or Perſons ſo refuſing, until he or they ſhall have ſatisfied the ſame, as it is before expreſſed, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

An

# An ACT

## *For Confirmation of Pious, Charitable and Publick Gifts and Grants.*

TO the intent that Pious, Charitable and Publick Gifts and Grants, ſo neceſſary in new Colonies to be encouraged and made good, may not be defeated, but may take Effect according to the true Intent and Meaning of the Donor or Donors, Deviſor or Deviſors, notwithſtanding any Incapacity in the Grantee or Deviſee, or thoſe to whoſe Uſe the ſame is granted or deviſed.

Be it therefore enacted and ordained by the Governours, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That for and during the Term and Time of Twenty Years next enſuing, all Gifts, Grants, Conveyances, and Devices of any Houſes, Lands, Tenements, Rents, Goods or Chattels, to any Good, Pious, Charitable or Publick uſe or uſes, as for the maintainance of Lawful Miniſters, erecting or maintaining of Churches, Chappels, Schools, Univerſities, Colleges, or other places for Education of Youth,

or maintainance of Men of Learning, or any Alms-Houſes or Hoſpitals, or any other Uſes whatſoever, heretofore made and hereafter to be made within the time aforeſaid, be and are hereby for ever confirmed and made good, according to the true intent and meaning of the Donor or Donors, Grantor or Grantors, Deviſor or Deviſors, the Statute of Mortmain, or any other Statute, Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Provided nevertheleſs, and it is hereby enacted and ordained, that no Gifts, Grants or Deviſe to any Perſon or Perſons whatſoever for any Superſtitious Uſe, or for maintenance of any Miniſter or Teacher whatſoever other than ſuch as are lawfully ordained and allowed of by the Church of *England*, be hereby confirmed and made good, any thing herein, or in any other Act ſeeming to the contrary in any wiſe notwithſtanding.

An

# An ACT

*Declaring it High-Treaſon to counterfeit his Majeſties Broad Seal of this Iſland.*

FOr*aſmuch* as by the Laws of this Iſland no due and condign Puniſhment hath been heretofore provided for ſuch as ſhall falſify, forge or counterfeit his *Majeſties* Broad Seal of this Iſland; by reaſon whereof divers evil diſpoſed Perſons may be emboldened to perpetrate and commit the ſaid Offence, to the diſhonour of his Majeſty, and the diſinheriting of many of his Majeſties good Subjects; for prevention whereof,

Be it enacted and ordained by the Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That whoſoever ſhall at any time hereafter Falſify, Forge or Counterfeit his Majeſties Broad Seal of this Iſland, that every ſuch Offence ſhall be Deemed and Judged High-Treaſon, and the Offender or Offenders therein, their Counſellors, Aiders, Abetters, or Concealers, being legally convicted there-

of by the Oaths of two lawful and credible Witneſſes, upon Tryal or otherwiſe, then every ſuch Perſon and Perſons ſo Offending as aforeſaid, ſhall be deemed, declared and adjudged to be Traytors, and ſhall ſuffer and have ſuch Pains, Penalties and Forfeitures, as in like Caſes is ordained by the Laws and Statutes of his Majeſties Kingdom of *England*.

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## An ACT

### *For Regulating Building, and preventing Fire.*

BE it enacted by the Governour, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That no Perſon whatſoever preſume to Build any Houſe at *Port-Royal* within thirty Foot of the High-Water Mark; and that when any Houſe or Houſes are already Built, or hereafter ſhall be Built, on the Harbour-ſide nearer than thirty Foot of the High-Water Mark, the Wherry Place only accepted, ſuch Houſe or Houſes ſo Built or to be Built, ſhall and are hereby adjudged, deemed

deemed and taken to be publick Nuſances, and the Proprietor or Proprietors of the ſame ſhall cauſe ſuch Houſe or Houſes Built thereon, to be taken down and removed within ſix Months after Conviction thereof, or otherwiſe Build or cauſe to be Built within ſix Months a ſtrong ſubſtantial Wharf, ſo as the ſame may make a firm Paſſage or way of thirty Foot from the High-Water Mark. Provided that no Houſe ſhall be Built further Northward on the Harbour than Major *Samuel Bach* and Captain *Anthony Swimmer* on any Land Wharfed or to be Wharfed out between *Fort James* and *Fort Carliſle*, but that all Land ſo made out of the Harbour, or to be made, ſhall remain unbuilt on.

And be it further enacted and declared by the aforeſaid Authority, That when any Fire ſhall happen to break out either at *Port-Royal*, or at any other Town already Built, or which hereafter ſhall be Built within this Iſland, that two or three of the chief Military or Civil Officers of the ſame Town or Pariſh ſhall or may and hereby are empowered to give all ſuch Directions for the pulling down or blowing up any ſuch Houſe or Houſes that ſhall be by them adjudged meet to

be pulled down or blown up, for the ſtopping and preventing the further ſpreading of the ſame; and if it ſhall happen that the pulling down or blowing up any ſuch Houſe or Houſes by the Directions aforeſaid, ſhall be the Occaſion of ſtopping the ſaid Fire, or the Fire ſtops before it comes to the ſame, then all and every Owner of ſuch Houſe or Houſes ſhall receive Satisfaction, and be paid for the ſame by the reſt of the Inhabitants whoſe Houſes ſhall not be Burnt, who are hereby empowered to make ſuch Rate or Rates for the raiſing and levying ſuch Sum and Sums of Money as ſhall be thought convenient by the Juſtices and Veſtry-Men of the Pariſh.

Provided always, That if that Houſe where the Fire ſhall firſt begin and break out ſhall be Adjudged fit to be pull'd down to hinder the further ſpreading and increaſe of the ſame, that then the Owners of ſuch Houſe ſhall receive no manner of ſatisfaction for the ſame, any thing in this *Act* or any other *Act* to the contrary notwithſtanding.

And whereas it may be doubted that the Sea may encroach upon the Southward part of the Town of *Port-Royal*, for the prevention whereof, be it enacted by the

the Authority aforeſaid, That all Proprietors or Owners of Land or Houſes, their Factors, Agents, Attorneys, and Guardians of Children, or any Perſons employed by them, or any of them that are Intereſted on the Southermoſt part of *Port-Royal*, from *Fort Rupert* to the Houſe and Land now Inhabited by one *Edward Watkins*, and known by the Sign of the *Blew Bell*, be hereby Enjoyned and Obliged by this Act within twelve Months after Publication hereof, Subſtantially to Wharf out, and Secure and keep Secured their reſpective Proportions of Land joining on the Sea, with Subſtantial Wharf of laſting Timber at leaſt one Foot into the Sea, under the Penalty of Ten Pounds Currant Money of this Iſland, for every Year any ſuch Perſon or Perſons ſhall neglect the ſame; one third part thereof to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, one third part to the Church-Wardens of the Pariſh of *Port-Royal* for the time being, for the uſe of the Poor, and the other third part to the Informer, or he that ſhall ſue for the ſame in any Court of Record within this Iſland, wherein no

no Eſſoign, Protection, or Wager of Law ſhall be allowed.

And that the Owners or Proprietors of ſuch Land or Houſes as aforeſaid, may be the better Encouraged to Wharf out as is before appointed, the Street now called the *Church-Street* ſhall be no more deemed, accounted or taken for a Street, but ſhall be Added or Annexed to each Propriety and Freehold, in Proportion to their Reſpective Intereſt bounding upon the ſame, for which Conſideration they are hereby Obliged to leave a Paſſage at leaſt eighteen Foot open to the Sea.

*Provided* that nothing in any Clauſe of this Act ſhall permit and ſuffer any Perſon or Perſons whatſoever, to Build any Houſe nearer to the Church on the South-ſide, than what are already Built for the whole length of the Church aforeſaid.

And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons do fetch or cauſe to be fetched in any Boat, Veſſel, or Canoa, from the Riffs or Shoals, or dig up any Stones below High-Water Mark from the Eaſtermoſt and Southermoſt Parts of any of the Cays lying off *Port-Royal*, and that no Stones ſmall or great be fetched or taken up for

for Ballaſt or any other uſe from the Eaſtermoſt ſide of the Point on *Port-Royal*, ſo far as *Plum-Point*, on Penalty of Ten Pounds for every ſuch Offence, and that no Commander and Maſter of any Ship or Veſſel caſt or hoiſt out any Ballaſt overboard into the Water within the Harbour of *Port-Royal*, or any other Harbour or Bay, upon the Penalty of Twenty Pounds for every ſuch Offence.

And be it further enacted, that no Wrecks be laid up within the Harbour of *Port Royal*, or if any ſuch decay'd Veſſels or Wrecks ſink in the Harbour by neglect of the Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame, and not removed within one Month after the ſinking thereof, the ſaid Owner or Owners, Poſſeſſor or Poſſeſſors of the ſame ſhall forfeit Twenty Pounds for every Month ſuch Veſſel ſhall ſo lie.

*Provided* alſo, that the ſeveral Fines, Forfeitures and Penalties before mentioned in this *Act*, and not declared where they ſhall be recovered and how diſpoſed of, be one third to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and contingent Charges thereof, one third to the Church-Wardens,

dens for the uſe of the reſpective Pariſhes, and one third to the Informer to be recovered by Action of Debt in any Court of Record within this Iſland, where no Eſſoigns, Protection or Wager of Law ſhall be allowed, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

And foraſmuch as great and divers Complaints are daily made by Maſters and Commanders of Ships and Veſſels Trading to this Iſland, that upon their Ships or other Veſſels coming into any Harbour of the ſame, the Seamen belonging to the ſaid Ships or Veſſels do run on Shore, inſomuch that they have not left on Board a ſufficient Number of Men to Watch the ſaid Ships or Veſſels; Be it therefore enacted and ordained by the Authority aforeſaid, That all and every Perſon or Perſons that ſhall receive or entertain any Seaman or Seamen belonging to any Trading Ships or Veſſels Riding in any Harbour of this Iſland, after the Ships Bell Ringing to ſet Watch at eight of the Clock at Night, every ſuch Perſon or Perſons receiving or entertaining of every ſuch Seaman as aforeſaid, ſhall forfeit for the Entertainment of every ſuch Seaman the Sum of Forty Shillings,

Shillings, one half to the Poor of the Pariſh, where the Offence is or ſhall be committed, and the other half to the Maſter or Commander that ſhall Proſecute for the ſame, to be Recovered by a Warrant from a Juſtice of the Peace, as in caſes of Debt not exceeding Forty Shillings.

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## An ACT

*For the Maintainance of Miniſters, and the Poor, and Erecting and Repairing of Churches.*

FOR raiſing a convenient maintainance for the Miniſters and Poor, and Erecting and Repairing of Churches within this Iſland, *Be it enacted* by the Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That the Reſpective Juſtices of every Pariſh within this Iſland, or any two of them, ſhall every Year iſſue out their Warrants to the Conſtables and Tything-Men, to Summons the Freeholders of that Pariſh together, on the Second *Tueſday* in *January*, for the Chooſing

Chooſing of Ten Veſtry-Men, and Two Church-Wardens, ſuch as ſhall conform to the Church of *England*, and if they ſhall neglect to Iſſue their Warrant, ſo as the Election be not made that Day, they ſhall reſpectively forfeit five Pounds Currant Money of this Iſland; and in Caſe the ſaid Freeholders duly Summoned as aforeſaid, ſhall not appear, or appearing do not Chooſe the ſaid Ten Veſtry-Men and Two Church-Wardens, that then in their Default the ſaid Juſtices ſhall within Ten Days after the ſaid ſecond *Tueſday* in *January*, or any Day after as to them ſhall ſeem convenient, lay a reaſonable Tax on the ſaid Pariſh for the maintainance of the Miniſter and Poor, and for Erecting convenient Churches and Repairing ſuch as are already made, and making convenient Seats in them; and if the ſaid Juſtices and Veſtry-Men ſhall neglect their duty herein, they ſhall reſpectively forfeit five Pounds Currant Money of this Iſland.

And be it further enacted and ordained by the Authority aforeſaid, That ſuch of the Juſtices and Veſtry-Men that ſhall not be preſent at the time appointed to make the ſaid Taxes, and thereof be convicted by a Certificate under the Hands of

of ſuch as do appear, and have no ſufficient Excuſe for the ſame, ſhall Reſpectively forfeit Five Pounds Currant Money of this Iſland; and a Roll of the ſaid Tax ſo made ſhall be delivered into the Hands of the reſpective Conſtables of the ſaid Pariſhes, with a Warrant under the ſame, ſigned by any two Juſtices of the Peace, impowering him or them to Levy the ſaid Tax, and upon refuſal to diſtrain and ſell by Publick Outcry, and pay the ſame into the Hands of the Church-Wardens, retaining to himſelf Twelve Pence *per* Pound for Levying thereof; and if any Perſon ſhall refuſe to Pay what he is ſo Aſſeſſed, and the ſaid Conſtables Diſtrain for the ſame, all his Charges ſhall be paid him with ſuch further allowance for his pains, as the ſaid Juſtices or any one of them ſhall judge reaſonable; and if the ſaid Juſtice or Juſtices ſhall neglect to Iſſue the ſaid Warrant, he or they ſhall reſpectively forfeit five Pounds Currant Money of this Iſland; and if the ſaid Conſtables or any of them fail of their Duty herein, they ſhall reſpectively forfeit five Pounds Currant Money of this Iſland: And the Church-Wardens ſo Choſen ſhall undertake the ſaid Office, and receive and keep a good account of the

the Monies or Goods levyed by Virtue of this Act, and the ſame Iſſue by Order from the ſaid Juſtices and Veſtry-Men of the Pariſhes for the purpoſes and intents aforeſaid; and the Church-Wardens ſhall as often as thereunto required, yield and give a juſt and true account unto the Juſtices and Veſtry-Men of all their Receipts and Diſburſements; and in caſe the ſaid Church-Wardens, or any of them ſhall neglect their Duty herein, they ſhall reſpectively forfeit five Pounds Currant Money of this Iſland for every refuſal.

And be it further enacted and ordained by the authority aforeſaid, That the reſpective Juſtices of the Pariſhes of St. *Dorothy* and St. *Thomas* in the Vale, or any two of them, ſhall every Year Iſſue out their Warrants to the Conſtables and Tything-Men, to Summon in the Freeholders of the ſaid Pariſhes, the Second *Tueſday* in *February*, for the Chooſing of Ten Veſtry-Men and two Church-Wardens as aforeſaid; and that the ſaid Juſtices and Veſtry-Men, or the Major Part of them, are hereby impowered to lay on the Pariſhioners a reaſonable Tax over and above the Rate impoſed on them by Virtue of this Act, by the Juſtices and Veſtry-Men of the Pariſh of

St.

St. *Catharines*, provided it exceed not one Hundred Pounds Currant Money of this Iſland, for and towards the Building and Erecting Churches, and making convenient Seats in them in their reſpective Pariſhes, and to no other uſes whatſoever; and that whatſoever Rate or Rates hath been already aſſeſſed by the Juſtices and Veſtry-Men of the Pariſh of St. *Dorothy*'s upon their Pariſhioners, or any other Perſon or Perſons having Land, Goods or Stock within the ſaid Pariſh, is hereby Ratified, Confirmed and Declared Lawful, any Clauſe in this Act ſeeming to the contrary notwithſtanting; a Roll of any Taxes ſo made ſhall be delivered into the Hands of the reſpective Conſtables of each Pariſh with a Warrant under the ſame ſigned by any two of the Juſtices, Impowering him or them to Levy the ſaid Tax, and upon refuſal to Diſtrain and Sell by Publick Outcry as aforeſaid, any thing in this Act ſeeming to the contrary notwithſtanding.

And be it further enacted and ordained by the Authority aforeſaid, That the Juſtices and Veſtry-Men of each Pariſh have full Power to enquire into Arrears of former Subſcriptions and Taxes, and to Levy the ſame Arrears by War-

rant from the Juſtices to the Conſtables aforeſaid; and that the Miniſter Demand no Fee in his own Pariſh for Chriſtnings, Marriages, Churchings or Burials, under the Penalty of five Pounds for every Offence, unleſs ſuch as the Juſtices and Veſtry-Men ſhall allow, any Law, Cuſtom, or Uſage to the contrary notwithſtanding; the one half of all which Forfeitures ſhall be to the Poor of the Pariſh, and the other Moyety to him or them that ſhall ſue for the ſame, in any Court of Record within this Iſland.

And foraſmuch as many Perſons who may by Virtue of this Act, and the Acts for mending and repairing the High-Ways, be Taxed, and have nothing in the Pariſh where they are Taxed, upon which any Diſtreſs may be made; It is therefore enacted and ordained by the Authority aforeſaid, That in ſuch Caſes from and after the Making hereof, an Action of Debt ſhall lie in any Court of Record, or before any Juſtice of the Peace as in other Debts, for the ſeveral Church-Wardens and Surveyors of each reſpective Pariſh and their Succeſſors to recover againſt any of the ſaid Perſons Rated or Aſſeſſed by virtue of this Act, or any of them, or their Agents or Attornies here,

here, all ſuch Sum and Sums of Money as are or ſhall be rated or aſſeſſed upon them as aforeſaid.

And that the ſame Rate or Aſſeſſment produced in ſuch Court of Record or before ſuch Juſtice of the Peace as aforeſaid, ſhall be ſufficient Evidence and Proof for the recovery of all ſuch Sum or Sums of Money ſo Rated or Aſſeſſed as aforeſaid: *Provided* nevertheleſs, and it is the true intent and meaning hereof, That no Juſtices of the Peace and Veſtry-Men ſhall have Power to Aſſeſs any ſuch Perſon or Perſons as aforeſaid above the Sum of one Shilling *per Annum*, and for every Hundred Acres of Land, and ſo proportionable for a greater or leſſer quantity.

And it is hereby further enacted and ordained by the Authority aforeſaid, That any Perſon or Perſons aggrieved or rated in any ſuch Aſſeſſment or Tax have hereby Liberty granted to Appeal to the Juſtices ſitting in the Quarter Seſſions in their reſpective Precincts in this Iſland; *Provided*, that ſuch Appeal to them be made at the firſt or ſecond Quarter Seſſions after ſuch Taxes made and not afterwards, and that there it Appearing to the ſaid Juſtices that he, ſhe or they were Over-

rated, Taxed or Aſſeſſed, the ſaid Juſtices are hereby Authorized and Impowered, if they find him, her or them ſo Over rated or Aſſeſſed, to eaſe him, her or them, as to their diſcretion ſhall ſeem meet, but that no Appeal ſhall lie further, or to any other Court or Place in this Iſland, for any Tax or Rate made or aſſeſſed by the Juſtices and Veſtry-Men of each Reſpective Pariſh in this Iſland, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding. And be it further enacted and ordained by the Authority aforeſaid, That the Church-Wardens of each reſpective Pariſh within this Iſland, do buy or cauſe to be bought one fair, well-bound Book, wherein the Miniſter, and in caſe there be no Miniſter there reſident, the reſpective Church-Wardens upon notice thereof given by the Maſters of the ſeveral Families, who are hereby required to give ſuch notice under the Penalty of Five Pounds, ſhall Regiſter or cauſe to be Regiſtred by the Clerk of the Veſtry of that Pariſh, the Times of the Births, Chriſtnings, Marriages, and Burials, of all ſuch Perſon or Perſons that ſhall from time to time be Born, Chriſtned, Married, or Buried, within the ſaid Pariſh, under the Penalty of Five Pounds

for

for every ſuch Default; and that the ſaid Clerk or Perſon that ſhall Regiſter the ſame, ſhall have and receive as a Fee for each Entry Fifteen Pence and no more.

And it is hereby further enacted by the Authority aforeſaid, That all ſuch Entries duly made and kept as aforeſaid ſhall at all times hereafter be Deemed, Judged and taken as an Authentick Record of all ſuch Births, Chriſtnings, Marriages, and Burials, and in all and every the Courts of Records in this Iſland; but if any Perſon hereby Authorized to make ſuch Entry or any other whatſoever ſhall make or cauſe to be made any falſe Entry, or ſhall raze out or imbezzel any Entry or Books of Entry, he or they ſo offending ſhall be proceeded againſt and Puniſhed in manner and form as the Laws of *England* provide againſt ſuch as Steal, Raze, or Imbezzel, Records; the one Moyety of all which Forfeitures or Penalties, or any other mentioned in this Act, and not directed how to be diſpoſed of, ſhall be to the Poor of the Pariſh where the fault is committed, the other Moyety or half part to the Informer, to be Recovered by Bill, Plaint or Information, in any of his Majeſties Courts

of Record in this Iſland, wherein no Wager of Law, Eſſoign, Protection or Injunction ſhall be allowed, any thing in this Act or any other Act to the contrary in any wiſe notwithſtanding.

And be it further enacted and ordained by the Authority aforeſaid, That the Pariſh of *Port-Royal* do allow and pay unto the Miniſter thereof two Hundred and Fifty Pounds *per Annum* of Currant Money of this Iſland, and that the Pariſh of St. *Catherines* do allow and pay unto the Miniſters thereof one Hundred and Forty Pounds of the like Money *per Annum*, and not leſs; and that the Pariſh of St. *Thomas*, St. *Andrews* and St. *Johns*, do allow and pay unto their Reſpective Miniſters one Hundred Pounds of like Money *per Annum*, and that all the other Pariſhes within this his Majeſties Iſland, that either have or ſhall have a Miniſter, do allow and pay Eighty Pounds Currant Money and not leſs, as a conſtant Yearly Salary for the Support and Maintainance of every of their Miniſters, to be Paid at their reſpective Dwelling-Houſes every ſix Months, without any Charge or defalcation, by equal Portions; and none to be Capable of being preſented to the ſaid Benefices, or receiving the profits

profits of the ſame, unleſs they produce due Teſtimonials that they are qualified according to the Canons of the Church of *England*, by having taken Deacon and Prieſts Orders, and the ſaid Teſtimonials to be Recorded in the Secretaries Office.

And be it further enacted and declared by the Authority aforeſaid, That no Miniſter not duly qualified as aforeſaid, preſume to Marry any Perſon or Perſons whatſoever under the Penalty of one Hundred Pounds Currant Money of this Iſland, one third thereof to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, one third to the Poor of the Pariſh where the offence ſhall be committed, and the other part to him or them that ſhall ſue for the ſame in any of the Courts of Records within this Iſland; and that no Miniſter preſume to Marry any Perſons whoſe Banes have not been Publiſhed three times in their Pariſh-Church or have a Licence from the Governour or Commander in Chief for the time being, Authorizing him thereunto, under the like Penalty, and to the ſame uſes, to be Recovered as aforeſaid,

or Twelve Months Impriſonment: *Provided* always, and it is the true intent and meaning of this Act, That no Eccleſiaſtical Law or Juriſdiction ſhall have Power to Inforce, Confirm, or Eſtabliſh any penal Mulcts or Puniſhment in any caſe whatſoever, any thing in this Act or any other to the contrary notwithſtanding.

And whereas this Iſland in the Twenty Ninth Year of his Majeſties Reign by an Act of this Country was divided into Fifteen Pariſhes, which were called, diſtinguiſhed and known by ſeveral Names hereafter mentioned, that is to ſay, St. *Thomas*, St. *Davids*, *Port-Royal*, St. *Andrews*, St. *Catherines*, St. *Dorothy*'s, St. *Thomas* in the *Valley*, *Clarendon*, *Vere*, St. *Johns*, St. *Georges*, St. *Maries*, St. *Anns*, St. *James*, St *Elizabeths*; Be it therefore enacted and ordained by the Authority aforeſaid, That all and every of the ſaid ſeveral Pariſhes reſt, remain and for ever hereafter be diſtinguiſhed and known by the aforeſaid reſpective Names, and by no other whatſoever, any thing in this or any other Law to the contrary notwithſtanding.

# An ACT

## *Aſcertaining the value of Foreign Coins, and Eſtabliſhing Intereſt.*

BE it enacted by the Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That each ſingle Spaniſh Dubloon or French Piſtol ſhall be Currant, and paſs for Twenty Shillings Currant Money, each ſingle Piece of *Sevil*, *Mexico*, or *Piller*, and each French Crown at Five Shillings Currant Money, a *Peru* Piece of Eight at Four Shillings, and all Monies whatſoever of thoſe Coins aforeſaid ſhall in all Payments whatſoever be proportionably rated, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

That whoſoever ſhall for baſe lucre by any way or means Coin, Falſify, Impair, Diminiſh, Seal, Waſh, Clip, File, or Lighten any of the Money aforeſaid, or any other Money Currant in this Iſland, ſhall be guilty of High-Treaſon, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

And

And it is further enacted and declared by the Authority aforeſaid, That from and after the Twentieth Day of *July* in the Year of our Lord one Thouſand ſix Hundred eighty and one, no Perſon or Perſons whatſoever upon any contract made or to be made, ſhall directly or indirectly take for the Loan of any Monies above the value of Ten Pounds Currant Money for the forbearance of one Hundred Pounds Currant Money of one Year, and ſo after the Rate for a greater or leſſer Sum for a longer or ſhorter time, which ſaid Intereſt is hereby declared to be only recoverable upon Penal Bonds and Mortgages.

That all Bonds, Contracts, and Aſſurances whatſoever, made hereafter for the payment of any Principal Money to be lent on Uſury, whereupon or whereby there ſhall be received or taken above the Rates of Ten Pounds Currant Money in the Hundred as aforeſaid, ſhall be utterly Void; and that all and every Perſon or Perſons whatſoever, who ſhall hereafter upon any Contract to be made, take, accept, or receive, by any way or means, or Corrupt Bargain, Loan, or Exchange, Shift or Intereſt, of any Monies, or by deceipt or other Fraudulent Con-

Conveyances for forbearance or giving Day of payment for one whole Year, or in proportion for a longer or ſhorter time for their Monies, the Sum of Ten Pounds Currant Money aforeſaid, ſhall forfeit and loſe for every ſuch his or their Offence treble the value of the Money lent or bargained for, by any way or means whatſoever; one Moyety of which Forfeitures ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, the other Moyety to him or them that ſhall ſue for the ſame, in any Court of Record within this Iſland, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

And whereas certain evil diſpoſed Goldſmiths deceitfully do make and ſell Plate and other Gold and Siver Wares, to the great Defrauding of his Majeſties Subjects of this Iſland, for remedy whereof, be it enacted by the Authority aforeſaid, That no Goldſmith or Worker in Gold or Silver within this Iſland, from and after the firſt Day of *Auguſt* in the Year of our Lord one Thouſand Six Hundred Eighty and one, ſhall Work, Sell, Exchange, or cauſe to be Wrought, Sold,

or

or Exchanged, any Plate or other Goldſmiths Wares of Gold, leſs in fineneſs than Twenty Two *Carrats*; and that from the time aforeſaid, no Goldſmith or Worker in Gold or Silver ſhall make, Sell or Exchange in any place within this Iſland, any Plate or Goldſmiths Wares of Silver leſs in fineneſs than that of Eleven Ounces Two Penny Weight; and that no Goldſmiths or Worker in Gold or Silver ſhall perſume to put to Sale, Exchange or Sell, any Plate of Goldſmiths Work of Gold or Silver, before he hath ſet his own Mark to ſo much thereof as may conveniently bear the ſame, upon pain of Forfeiting the Value of the thing ſo Sold or Exchanged.

And be it further enacted by the Authority aforeſaid, That whatſoever Goldſmith or Worker in Gold or Silver as aforeſaid, from and after the firſt Day of *Auguſt*, ſhall preſume to Sell or Exchange any Gold or Silver Wares, of leſs fineneſs than aforeſaid, for every ſuch firſt Offence, ſhall forfeit treble the Value of the ſaid Wares ſo Sold or Exchanged, one half whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent

tingent Charges thereof, and the other half to the Party aggrieved, to be recovered in manner and form aforeſaid; and whoſoever ſhall offend the Second time, and thereof be convicted, ſhall ſtand in the Pillory for the ſpace of one Hour, and loſe his Ears for the ſame.

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## An ACT

### *For ſettling the* Militia.

WHereas the Situation of this Iſland, amidſt Subtle, Rich and Potent Nations, cannot but ſufficiently Convince every reaſonable Man of the Neceſſity the Inhabitants have, of being well Armed and Trained up in the Art *Military*, as well for the Honour and Service of his moſt Excellent Majeſty, as the Preſervation of our own Lives and Fortunes.

Be it therefore enacted and ordained by the Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever from 15 to 60 Years

Years of Age, remain Unliſted by themſelves, Maſters, Miſtreſſes, or Imployers, under the Captains, in the reſpective Places of their Abode, in Foot, or Horſe, the ſpace of ſix Weeks, on Penalty of Forty Shillings, and ſo for every Six Weeks ſuch Perſons ſhall remain Unliſted; And that every Foot Soldier be provided with a well-fixed *Musket* or *Fuſee*, or (if the Officer ſo appoint) with a good *Pike*, and *Sword*, or *Launce* and *Piſtol*, each *Muſqueteer* to have ſix Charges of Powder and one *Cartouch-Box*, and ſo ſhall appear, when and where appointed, upon Penalty of Ten Shillings for his Default in not appearing, and Four Shillings for want of each Charge of Powder, *Gun*, *Pike*, *Sword*, *Piſtol*, or *Cartouch-Box*, ſo as the whole Penalty for any Perſon at one time exceed not Ten Shillings; and that every Soldier belonging to the Horſe, ſhall when and where commanded, appear and be provided with a good Serviceable Horſe of Ten Pounds Value at the leaſt, covered with a good Saddle, with Holſters, Breaſt-Plate and Crupper, and a Caſe of good Piſtols, Hanger, Sword or Rapier, and half a Pound of Powder, on Penalty of Ten Shillings for each times abſence, and ſix Shillings for default of each

each the particulars abovementioned, ſo as the whole Penalty for one time exceed not fifteen Shillings; and that every Foot Soldier ſhall have at his Habitation and Abode Two Pounds of good Powder, and Six Pounds of ſizeably Bullet, and every Trooper have at his uſual place of abode a well-fixed *Carbine* with Belt and *Swivel* and Four Pounds of fine Powder, with Twelve Pounds of ſizeable Bullets, on Penalty of Ten Shillings for each Default, and that each of them ſhall bring the ſame into the Field, when Commanded, upon Penalty of anſwering the ſame at a Court Martial: Provided nevertheleſs that nothing herein be Conſtrued to Extend to force or compel any Perſon, that hath or ſhall be in Commiſſion in this Iſland, to Liſt himſelf in any Company or Troop, or to ſerve in any Capacity beneath the former Commiſſion, unleſs ſuch Perſon hath been degraded by a Court Martial.

And it is further enacted by the Authority aforeſaid That no Perſon ſo Liſted as aforeſaid ſhall depart thence without a diſcharge from the Commander of the Company or Troop where Liſted, on Penalty of Forty Shillings, and that no Commander of any Company or Troop

ſhall

ſhall refuſe when deſired to give a diſcharge in Writing to any that is removing his Abode out of the Precincts, under the Penalty of Five Pounds.

And whereas at the Town of *Port-Royal* Guards and Watches are every Night ſet and appointed; Be it therefore enacted and declared by the Authority aforeſaid, That it ſhall and may be Lawful for any Perſon or Perſons Liſted in the Regiment of *Port-Royal* (except on extraordinary Occaſions) to put a well Armed Man in their room, who if approved of by the Captain of the Guard ſhall excuſe his or their Abſence; *Provided* always, that the Commiſſion Officers and Serjeants of the reſpective Companies be obliged in their reſpective turns, to Mount the Guards in their proper Perſons, and that no Perſon ſhall refuſe to be a Serjeant, Corporal, or Drummer, in the Company or Troop wherein he is Liſted, under the Penalty of Five Pounds.

And be it further enacted and ordained by the Authority aforeſaid, That all Captains of Companies of Foot or Troops of Horſe, ſhall within Six Months from and after Publication of this Act provide for their Companies and Troops, Drums and Colours, Trumpets, Trumpeters, and Ban-

Banners at their own Charge, under Penalty of Ten Pounds, and ſo for every Six Months ſuch Commanders ſhall remain unprovided; and that all the Colonels of the reſpective Regiments, or next Chief Officer in their Abſence, ſhall once every Year at the leaſt Iſſue out their Warrants to their Inferiour Officers, commanding them to make diligent Search and Inquiry in their ſeveral Precincts, that all be duly Liſted, Armed, and Equipped, and to return to them ſuch defects as ſhall be found, to the end the ſame may be reformed, on Penalty of a Hundred Pounds; and that once every two Months or oftener, as Occaſion ſhall require, and Command be given by the Commander in Chief, the ſeveral Companies and Troops in each Regiment ſhall meet at the next and moſt convenient places, to be appointed by their reſpective Officers, to be then and there by them Muſtered and Exerciſed, only the Regiment on *Port-Royal* ſhall meet and exerciſe one Company in each Week Succeſſively, and the whole Regiment once in Eleven Weeks.

And it is further enacted and ordained by the Authority aforeſaid, That during the time the ſaid Officers and Soldiers

are in Arms, they ſhall obſerve and keep all and every of the Laws and Articles of War, and give all due Obedience to their Superior Officers, which Laws and Articles the Commander in Chief with Advice of a General Council of War, is to make and Eſtabliſh, and the Commanders of the ſeveral Regiments to give out Copies of the ſaid Articles unto their reſpective Officers, that the ſame may be publickly read once every Six Months unto the Soldiers, whilſt they are in Arms, that all Perſons may the better know and obſerve their Duties. And if it ſhall happen that any of the Officers or Soldiers ſhall, when they are out of Arms, endeavour to take revenge by force, for any thing his or their Superiour Officers Lawfully did in purſuance of his or their Duty, and this Act, the ſaid Officers and Soldiers ſhall be brought to a Court Marſhal and there puniſhed, as if the Offence had been done in time of Service or Exerciſe: *Provided* that the ſaid Puniſhment do not Extend to Life or Limb.

And be it further enacted by the Authority aforeſaid, That once every Year, or oftener if thereunto Commanded, each par-

particular Captain ſhall give to his Field Officer, and the Field Officer to the Commander in Chief, fair Written Rolls of their reſpective Companies and Regiments; and if any Field Officer, Captain or other Inferior Officer, or Soldier, ſhall neglect or contemn performing the Lawful Commands of their reſpective Superiour Officers, he or they ſhall be puniſhed by Fine, Caſheering or Puniſhment according to the Diſcretion of a Court Marſhal, which the Commander in Chief is to appoint and eſtabliſh, and the Orders of the ſaid Court Marſhal are hereby declared to be Binding in all Military Affairs; and if any Perſon upon any Invaſion, or other Publick Military Service, be Wounded or Diſabled, he ſhall be Cured and Maintained out of the Publick Revenue; and if any Perſon whatſoever ſhall be Sued, Moleſted, or Impleaded, for any thing Lawfully Commanded in the Execution and Purſuance of this preſent Act, he ſhall plead the General Iſſue, and give this Act in Evidence, and ſhall thereupon, if found for him, recover Coſts of Suit and treble Damages.

And be it further enacted by the Authority aforeſaid, That upon every Ap-

prehenſion and Appearance of any Publick Danger or Invaſion, the Commander in Chief do forthwith call a Council of War, and with their Advice and Conſent Cauſe and Command the Articles of War to be Proclaimed at *Port-Royal* and St. *Jago de la Vega*, from which ſaid Publication the Martial Law is to be in Force; that then it ſhall and may be Lawful for the ſaid Commander in Chief to Command the Perſons of any of his Majeſties Liege People, as alſo their Negroes, Horſes, and Cattle, for all ſuch Services as may be for the Publick Defence, and to pull down Houſes, cut down Timber, command Ships and Boats, and Generally to act and do with all full Power and Authority, all ſuch things as he and the ſaid Council of War ſhall think Neceſſary and Expedient for his Majeſties Service and Defence of this Iſland: *Provided* always and it is the true Intent and meaning of this Act, that as ſoon as the Common Law revives and is in Force, the ſaid Negroes, Servants, Cattle, Ships or Boats, ſo Imployed as aforeſaid, be immediately diſcharged; and to the end it may be certainly known when the Martial Law ceaſeth, and the Common Law taketh place, it is hereby de-

declared, that upon Lodging the Colours, and diſcharging the Soldiers from their Arms, the Martial Law ceaſeth and the Common Law revives and taketh place. *Provided* alſo, that the Marſhal or his Deputy ſhall not preſume to arreſt any ſuch Soldier, within one Month after every ſuch diſcharge, nor in the time of his going or coming to or from the place of Exerciſe, or Rendevouz, under the Penalty of Ten Pounds, and of being further liable to an Action of falſe Impriſonment; and in caſe of any ſuch Arreſt, it ſhall be Lawful for the reſpective Captain, or other Commiſſion Officer, to releaſe any of his or their Soldiers ſo Arreſted.

And it is hereby further enacted and ordained by the Authority aforeſaid, That if upon any Alarm or Invaſion any Perſon or Perſons whatſoever ſhall ſuffer either by the Landing of an Enemy, or drawing together his Majeſties Forces of this Iſland, all ſuch Damage or Damages, whether in Servants, Negroes, Horſes, Cattle, or in the Labour of any of them, or in the Expence of Proviſion, or by Fire, or by any other Loſs whatſoever, that may accrue by the means aforeſaid, that then upon due application

and Proof thereof made unto the Governour and Council, the ſaid Damages ſhall be reaſonably Valued, and forthwith paid out of the Publick Revenue; and that if there be no Money there, the Governour and Commander in Chief do forthwith call an Aſſembly, and recommend to them all Caſes of the like Nature, ſo that Money may be Legally raiſed for the Publick Diſburſments, and every one receive juſt and equal ſatisfaction for their Loſſes.

*Provided* always, and it is hereby enacted and declared by the Authority aforeſaid, That the ſeveral Fines and Forfeitures mentioned in this Act, and not declared in what manner they ſhall be recovered, and how diſpoſed of, that all ſuch as do relate to any Perſon under the degree of a Captain, ſhall be to the reſpective Captains to Defray the Charge of their Companies or Troops, and to be Levyed before the next Exerciſing Day, by Diſtreſs and Sale of the Offenders Goods by the Captains Warrant to the Serjeant or Corporal, and if no Diſtreſs be found, the Puniſhment to be by Riding the Wooden Horſe, or being tyed Neck and Heels, not exceeding an Hour at the diſcretion of their Officer; but

but if the Offender be a Servant, the Owners Goods ſhall be lyable to the Diſtreſſes and Sales as aforeſaid, ſo that Satisfaction may be made; and for all other Penalties mentioned in this Act, the ſame ſhall be levyed by Diſtreſs and Sale of the Offenders Goods and Chattles by the Provoſt Marſhal, by Warrant from the Commander in Chief; one half thereof ſhall be to our Soveraign Lord the King his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, and the other half to the Informer.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be Lawful for any Commiſſion Officer belonging to the Regiment on *Port-Royal* under the degree of a Captain, in the abſence of the ſaid Captain from off the Point, to grant Warrants of Diſtreſs againſt any Perſons whatſoever that ſhall abſent themſelves from their Duty on the Night Guards, without ſending a ſufficient Perſon to ſerve and watch in their Stead; which ſaid Warrants ſo granted ſhall be as Effectual to all Intents and Purpoſes whatſoever, as if they or any of them had been granted by the Captains themſelves.

And be it likewiſe enacted by the Authority aforeſaid, That no Wherry, Ships Boat or Canoa, ſhall at any time paſs the Fort at *Port-Royal* under the Penalty of Twenty Shillings, to be recovered by Warrant from any Juſtice of the Peace, without giving Notice to the Captain of the ſaid Fort, or whoſoever ſhall Command in Chief therein in his Abſence; which ſaid Notice ſhall be ſufficient leave to paſs the ſaid Fort, without any further Charge or Trouble whatſoever, unleſs the ſaid Captain or other his Subordinate Officer have reaſonable cauſe to ſuſpect the Perſon ſo deſiring leave, to have ſome evil deſign in going off with or carrying off any Perſons contrary to Law; in which caſe it ſhall and may be Lawful for the ſaid Captain or his aforeſaid Officer to hinder their departure out of the Harbour, until the ſaid Captain or Officer be ſatisfied of the Lawfulneſs of their Occaſion, any Act, Cuſtom, or Uſage, to the contrary notwithſtanding.

Be it alſo further enacted by the Authority aforeſaid, That no Perſon whatſoever preſume to Fire any ſmall Arms after eight of the Clock at Night, unleſs in caſe of an Alarm, Inſurrection, or other lawful Occaſion, and in either of the

the ſaid Caſes Four Muskets or ſmall Arms diſtinctly Fired ſhall be taken for an Alarm from Quarter to Quarter; and every Perſon that ſhall be duly convicted before a Regimental Court Marſhal, of neglecting his Duty in taking and giving forward any Alarm by firing Four Muskets or ſmall Arms as aforeſaid, or ſhall be guilty of firing any ſmall Arms after Eight of the Clock at Night, unleſs as aforeſaid, ſhall be Fined, or otherwiſe puniſhed at the diſcretion of a Court Marſhal, not extending to Life or Limb.

And whoſoever ſhall be found to be a Tranſgreſſor herein, by the next Commiſſion Officer under Penalty of Five Pounds be cauſed to be Apprehended, and ſent under a Guard to the next Marſhal, who is hereby obliged under Penalty of Twenty Pounds to receive and ſecure the ſaid Offender until he ſhall be Tryed or Diſcharged by a Court Marſhal as aforeſaid.

And for the better Prevention of Falſe Alarms, That no Captain, Maſter, or Commander of any Ship or Veſſel Riding at Anchor in the Harbour of *Port-Royal* or any other *Bay* or Harbour, or any other Perſon, fire any Gun after Sunſet,

ſet, under Penalty of Forty Shillings for every Gun ſo Fired, to be Levyed by Warrant from the Chief Officer not under the Degree of a Captain, who is hereby Impowered to Adminiſter an Oath and give Judgment thereupon by Diſtreſs or Sale of the Offenders Goods, and for want of Diſtreſs the ſaid Chief Officer is hereby Impowered to Commit ſuch Offender to Goal, there to remain until payment of the ſame; and that in Caſe the ſaid Chief Officer ſhall not perform his Duty therein, he ſhall forfeit Ten Pounds, to be levyed by Warrant from the Governour or Commander in Chief for the time being; *Provided* always that this Clauſe ſhall in no ways concern or extend to any Captain or Officer of any of his Majeſties Ships of War for their firing of one Gun for the ſetting of the Watch.

*Provided* always, and it is hereby further enacted and declared by the Authoty aforeſaid, That nothing in this Act contained be expounded, conſtrued, or underſtood, to diminiſh, alter or abridge the Power of the Governour or Commander in Chief for the time being, but that in all things, and upon all Occaſions, he may Act as fully and freely as Cap-

Captain General and Chief Governour, to all Intents and Purpoſes, as if this Act had never been made, any thing in this Act to the contrary notwithſtanding.

*Provided* alſo, and it is hereby enacted and declared by the Authority aforeſaid, That nothing within this Act, or any Clauſe therein contained ſhall be deemed, conſtrued or underſtood, to give any Captain General or Commander in Chief any Power or Authority for the ſending any Perſon or Perſons off this Iſland againſt their Will, or to do any other Act or thing contrary or repugnant unto the known Laws of *England* or this Iſland.

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## An ACT

### *For prevention of Law Suits.*

BE it enacted and ordained by the Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Poſſeſſions of, or Titles to any Lands or Houſes whatſoever, derived by or from any

any Sales, for Valuable Conſiderations made, either by the Provoſt Marſhals, Creditors, or by the Executors, or Adminiſtrators, of any Perſons Deceaſed, or by the Husbands in Right of their Wives, or by the Endorſments or Delilivery up of Patents, or by any Decrees in Chancery, or by any Laſt Wills and Teſtaments, or by any Patents Granted upon Judgment given in Writs of Eſcheat or *Ceſſavit*, and the ſaid Perſon, or any claiming under them now being in Poſſeſſion of the ſame, be by this preſent Act Ratified, Confirmed, and Declared good and Legal to all Intents and Purpoſes whatſoever; *Provided* always, that ſuch Poſſeſſors or Purchaſors, their Heirs or Aſſigns, have or ſhall continue in quiet or peaceable Poſſeſſion of the ſame, for the ſpace of Seven Years without any Claim or Interruption, and the ſaid Sales, Patents, Decrees, and Poſſeſſions, as aforeſaid, to be a perpetual Bar againſt all manner of Perſons Claiming, or to Claim, any Right or Title by Deſcent, Purchaſe, Marriage, or Limitation, for or by reaſon of any former Grant, Gift, Patent or Conveyance, any Law, Cuſtom, or Uſage, in any wiſe to the contrary notwithſtanding.

And

And it is hereby enacted and declared by the Authority aforeſaid, That in all Writs of Eſcheat hereafter to be Granted, the Provoſt Marſhal be Commanded to Inquire by a Jury of Twelve Free and Lawful Men upon their Oaths, (they then being upon the Premiſes) the true Value of all and ſingular the Real Eſtate, which any Perſon ſo dying without Heirs was at the time of his Death Seized of, and that after Office found and returned into the Supreme Court and Judgment hereupon given and Recorded, it be Lawful for the Governour for the time being, or in his Abſence the Commander in Chief, to paſs any Grant of the ſaid Eſcheat Eſtate, under the Broad Seal of this Iſland. *Provided* that a Clauſe be therein Inſerted, that the ſaid Grant ſhall determine and be void, in caſe any Right Heir appears and claims the ſame, and Legally approves himſelf to be Heir within Three Years after the Date of the ſaid Patent; and that the Value of the ſaid Eſcheat Eſtate, as it was Appriſed at, ſhall be ſecured to be paid in to the Treaſury of this Iſland, after the Expiration of Three Years from the Date of the Patent, (if no Heir in the mean time ſhall Obtain the ſame,) by ſuch Perſon

or

or Perſons to whom the Governour or Commander in Chief, as aforeſaid, ſhall by Patent under the Broad Seal of this Iſland grant the ſame; and that the Treaſurer or Receiver be hereby required to pay, or cauſe to be paid, the Sum or Sums of Money the ſaid Eſcheat Eſtate was Valued at out of the Treaſury, unto or for the Uſe of ſuch Heir, who ſhall claim the the ſame, and approve himſelf to be Heir, before any other Payment whatſoever; which Proof of the Heirs Title ſhall be made by any Publick Atteſtation, or otherwiſe, as ſhall be believed, to be Evidence by the Judges and Jury, to be recovered at any time without Limitation.

And be it further enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever, heretofore made, or that hereafter ſhall be made, by Husband and Wife, and acknowledged before the Judge of any Court of Record within this Iſland, and duly Recorded, ſhall be good and Valid in Law againſt all Perſons whatſoever, that can or may pretend to Claim any Eſtate in the Lands or Tenements ſo conveyed, to all Intents and Purpoſes whatſoever, as if the ſame had paſſed by Fine and Recovery

covery in any of his Majeſties Courts of *Weſtminſter*.

*Provided* always, that where any true and Valuable Improvement is made on ſuch Eſcheated Land by the Patentee or Patentees during the ſaid Three Years, that ſuch Heir before his Entring upon the ſame ſhall ſatisfie and pay unto ſuch Patentee or Patentees, all ſuch Charges as the Chancellour for the time being ſhall judge to be reaſonably Expended, together with the Intereſt of the ſame, according to the Cuſtom of this Country, any thing herein contain'd to the contrary notwithſtanding.

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## An ACT

### *For Eſtabliſhing Courts, and directing the* Marſhals *Proceedings.*

FOR the better and more orderly Regulation and Eſtabliſhment of the ſeveral Courts of Juſtice within this Iſland, as well in reſpect of the time as place for holding the ſame, and alſo directing the Marſhals Proceedings, be it enacted by the Governour, Council, and

Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Judges of the Supream Court of Judicature for the time being, are hereby fully Impowered and Authorized to have Cognizance of all Pleas, Civil, Criminal, and Mixt, as fully and amply, to all Intents and Purpoſes whatſoever, as the Courts of Kings Bench, Common Pleas and Exchequer within his Majeſties Kingdom of *England*, have or ought to have; and the ſaid Court ſhall be duly and conſtantly kept at the Town of St. *Jago de la Vega* and not elſe where, once every Three Months, and not oftner, and that there be Five Judges at the leaſt appointed to hold the ſame Court, three whereof to be a *Quorum*; and that the ſeveral Inferior Courts of Common Pleas eſtabliſhed, or that ſhall be eſtabliſhed in the ſeveral Precincts of this Iſland, ſhall have Juriſdiction over all Cauſes wherein any Freehold is not concerned, to the Value of Twenty Pounds with Coſts and no more, and that the ſame be held and kept at the ſame time and in the ſame place of the reſpective Precincts, where the Juſtices of the Peace ſhall hold and keep the Quarter Seſſions once every three Months, and

that

that none of the ſaid Courts be kept oftner, nor in any other place or manner than is hereby declared.

*Provided* always, and it is hereby enacted by the Authority aforeſaid, That in reſpect *Port-Royal* is the Chief Seat of Trade within this Iſland, and it is found by Experience that a quicker and more ſpeedy diſpatch of all Maritim and Marchandizing affairs give the greateſt ſatisfaction to all Parties concerned, it ſhall and may be Lawful for the Judge or Judges of the Court there Eſtabliſhed, to hold and keep the ſame once every Two Months and not oftner, and that it ſhall and may be Lawful for the Chancellour here for the time being, upon application made, to Grant Juſtices to any of the Inferiour Courts, within this Iſland, any thing herein contained to the contrary notwithſtanding.

And be it further enacted by the Authority aforeſaid, That it ſhall not be Lawful for any Perſon or Perſons whatſoever Appointed, Elected or Choſen, to be a Judge or Judges of the aforeſaid Courts, to Execute or Officiate his or their ſaid Place or Office, until ſuch time as he or they ſhall reſpectively take the Oaths of Allegiance and Supremacy in

open Court; and that none of the ſaid Judges directly nor indirectly ſhall ask, demand, or receive any other profit, benefit or advantage, from any of the Clerks of the ſaid Courts, or other Perſon whatſoever, under colour or pretence of ſuch their Place, Office or Authority, but what is allowed them by the Acts of this Iſland, under the Penalty of Five Hundred Pounds of Currant Money of this Iſland.

And be it further enacted by the Authority aforeſaid, That all and every of the Judges of the ſeveral Courts before mentioned, be and are hereby ſufficiently Empowered to make, order and eſtabliſh all ſuch Rules and Orders for the more orderly practiſing and proceeding in their ſaid Courts, as fully and amply to all Intents and Purpoſes whatſoever, as all or any of the Judges of the ſeveral Courts of the Kings Bench, Common Pleas, and Exchequer in *England* Legally do; and that no Counſellor or Attorney be ſuffered to practice in any of the ſaid Courts, until they be firſt admited by the ſame, and have taken as well the Oath of an Attorney, as the Oaths of Allegiance and Supremacy, under the Penalty of Twenty Pounds of Currant Money of this Iſland;

ſland; and whatſoever Counſellor or Attorney ſhall by negligence or ignorance miſtake his Clients Cauſe, and imperfectly lay his Action or ill draw the Declaration, whereby the Client ſhall ſuffer a Nonſuit, he or they ſo offending ſhall be lyable by Rule of Court, without any other Proceſs or courſe of Law whatſoever, to pay unto the Party aggrieved full Coſts of Suit. And to the end that no Perſon ſhall be Damnified by miſtake of his Lawyer, for matter of form only, be it enacted and declared by the Authority aforeſaid, That the Judges ſhall at all times on Motion made in Court, order Amendments, and ſhall not upon Arreſt of Judgment or Writ of Errour for matter of Form only, reverſe any Judgment whatſoever. And be it enacted and declared by the Authority aforeſaid, That no Action of Waſt ſhall be permitted to be brought or allowed to lie within any Court of this Iſland, and that no Freeholder whatſoever, being of known Reſidence, ſhall be Arreſted by any Proceſs out of any of the ſaid Courts upon the Penalty of Twenty Pounds Currant Money to be paid by the Plaintiff to the Party ſo Arreſted, and what Action or other proceeding whatſoever ſhall be en-

tred, ſued, had, made, or proſecuted thereupon, contrary to the true intent and meaning thereof, ſhall and is hereby declared to be void and of no Effect to all Intents and Purpoſes whatſoever: And that no Suit be had or Proceſs taken out of the Supream Court of Judicature for any matter or Cauſe of Action under the Value of Twenty Pounds Currant Money of this Iſland, upon the Penalty of Twenty Pounds of the like Money, to be paid by the Plaintiff in the ſaid Action, but that the ſame be tryed in the Court of the Precincts, where ſuch Cauſe of Action doth ariſe; *Provided* that both Parties reſide there, and that the Inhabitants and Reſidents in St. *Catherines*, St. *Dorothy's*, St. *Thomas* in the *Vale*, and St. *Johns*, ſue as formerly in the Supreme Court for any Sum whatſoever, until they ſhall have Petty Courts Erected in their own Pariſhes, any thing in this Act to the contrary notwithſtanding.

And it is further enacted by the Authority aforeſaid, That in all and every the Inferior Courts within this Iſland, upon Summons duly ſerved, and the Defendant not appearing, Judgment ſhall go by default in the ſame manner and form, as in the Supreme Court; *Provided*

*ed* always, that it is the true Intent and Meaning of this Act, that as well in the Supreme Court as any other the Inferiour Courts within this Iſland, the Provoſt Marſhal or his Lawful Deputy ſhall appear in open Court, and there depoſe upon Oath, that the Party or Parties againſt whom Judgment ſhall go by default, hath been legally Summoned Fourteen Days before the ſaid Court, any thing in this Act or any other to the contrary notwithſtanding.

And it is likewiſe enacted and ordained by the Authority aforeſaid, That upon any Declaration exhibited in Debt upon ſpecialty or Bill under Hand, or in caſe of a Book Debt upon a *Conceſſit Solvere* and diſcloſing the ſpecial matter to the Chief Judge of the Supream Court of Judicature, that the ſaid Debtor againſt whom the Plaint is entred, is either gone off this Iſland, or that upon Proceſs already taken out againſt him a *Non eſt Inventus* hath been returned, an Attachment ſhall then Iſſue, thereby commanding the Provoſt Marſhal, or his lawful Deputy to attach ſuch Moneys, Goods, Chattles, or Debts in the Hands of the Poſſeſſors of the ſame, be they Attorney, Wife, Servant or any other Perſon, and

alſo require them to appear at the next Court, to ſhew Cauſe why the ſaid Money, Goods, Chattles or Debts, or ſo much thereof as will ſatisfie the ſaid Debts then demanded, ſhould not be delivered to the Plaintiff; at which Day, if the ſaid Poſſeſſor or Debtor, be they Attorney, Wife, Servant, or other Perſon, as aforeſaid, be convicted by Confeſſion, Verdict, or otherwiſe, that the ſaid Moneys, Goods, Chattles or Debts do properly belong to the Perſon ſo gone off this Iſland, or otherwiſe abſented himſelf as aforeſaid, and if the Plaintiff before or after due proof made, do ſolemnly ſwear in open Court, that his Debt is true, and that directly or indirectly no part or parcel of what he demanded is ſatisfied, and alſo give in Security in double the Sum he demands, to reſtore the ſame with treble Damages, or ſo much thereof as ſhall at any time afterwards be diſproved, that then and in all ſuch Caſes the Plaintiff ſhall have Judgment to recover the ſaid Debt out of the ſaid Money, Goods, Chattles or Debts ſo attached as aforeſaid.

*Provided* always, That if any will appear as Attorney to the ſaid Debtor, and put in Bail to anſwer the Action and pay the

the Condemnation, that then and in all ſuch Caſes the Attachment on the ſaid Money, Goods, Chattles or Debts ſhall be diſſolved, and Proceedings had according to the Cuſtom of the Common Law; but if the Poſſeſſor or Owner of ſuch Money, Goods, Chattles, or Debts, be they Attorney, Wife, Servant, or other Perſon, as aforeſaid, ſhall after Attachment ſo laid on them in the reſpective Hands, diſpoſe of the ſaid Money, Goods, Chattles, or Debts, towards the payment of any other Debts, before the ſaid Debt for which the Attachment was laid be ſatisfied, or the ſaid Attachment be diſſolved, that then and in all ſuch Caſes the ſaid Party, for ſuch their Default, ſhall be liable to make ſatisfaction to the Plaintiff out of their own proper Eſtates.

And be it further enacted and ordained by the Authority aforeſaid, That in all Debts not exceeding Forty Shillings, upon Complaint made to any Juſtice of the Peace, that the Debtor againſt whom he complaineth is gone off this Iſland, or otherwiſe abſented himſelf, that then it ſhall and may be lawful for the ſaid Juſtice of the Peace to iſſue out a Warrant of Attachment to be levyed by the Con-

ſtable, in manner and form as is before preſcribed, to the Provoſt Marſhal for the Execution of the Writ, and to be immediately determined by the ſaid Juſtice, any Clauſe in this Act or any other to the contrary notwithſtanding.

And be it further enacted and ordained by the Authority aforeſaid, That all Summons and other Proceſs hereafter mentioned ſhall be ſerved and executed in manner and form, as is herein directed, and in no other manner or way whatſoever, (that is to ſay) That all Summons as well from the Supreme Court as all other the Inferiour Courts within this Iſland, *Port-Royal* only excepted, ſhall be delivered to the Party, or left at their reſpective Dwellings Fourteen Days before the ſeveral Courts by a ſworn Marſhal, and that at *Port-Royal* all Summons ſhall be delivered Ten Days before the Courts, otherwiſe it ſhall be deemed and taken as no Service, and the Defendant not bound by it to appear; and that all Replevins, Foreign Attachments at the Supreme Court and Warrants of Arreſt be ſerved at any time as heretofore; and that no Execution ſhall be taken out, ſerved or executed until Twenty Eight Days be fully expired after Judgment, except

except at *Port-Royal*, where Execution ſhall iſſue Ten Days after Judgment obtained; and that no Negroes, Horſes, or any manner of Utenſils belonging to a Plantation, Brick or Pot-Work, nor any other Negroes whatſoever, from and after the making hereof, ſhall be taken in Execution, where the Party againſt whom the Execution is obtained, ſhall offer Goods for ſatisfaction of the Debt and Coſts of Suit.

And it is further enacted, That the ſaid Defendant who hath his Goods taken upon Execution ſhall have free liberty to convey and carry off the Goods ſo taken at his own proper Coſts and Charges to the next and moſt convenient Place and Market for diſpoſal of the ſaid Goods, and there ſhall have free Power and Liberty to make Contracts, bargain for and ſell the Goods ſo taken in Execution, the Defendant firſt acquainting the Marſhal who levyed the Execution upon the Goods, with ſuch Bargain or Contract, to the end the Marſhal may deliver the ſame, and receive the Produce thereof according to his Precept.

And it is further enacted by the Authority aforeſaid, That if the Defendant, after his Goods ſhall be ſo taken in Execution

ecution as aforeſaid, ſhall delay or neglect ſelling or diſpoſing of the Goods until Ten Days before the next enſuing Court, that then and in all ſuch Caſes, it ſhall and may be lawful for the Marſhal to take the ſaid Goods and Chattles of the Defendant, and the ſame to ſell by Publick Outcry.

And it is further enacted by the Authority aforeſaid, That where no ſuch Goods as aforeſaid ſhall be ſhewn and offered to the Provoſt Marſhal, ſo that the Negroes, Working Cattle, or neceſſary Utenſils muſt be taken in Execution, that then and in all ſuch caſes the ſaid Negroes, Horſes or Utenſils ſhall not be removed, but remain ſtill in the Defendants Poſſeſſion, and that upon the Marſhals return at the ſame Court as aforeſaid, that he hath levied ſuch Effects and left them in the Defendants hands, there iſſue out a *Venditioni Exponas*, without any charge of Mile-Money, in theſe Words following.

The

## The King to the Provoſt-Marſhal, Greeting.

WHereas *we lately Commanded thee by our Writ, That of the Goods and Chattles real and perſonal of* A. B. *Thou ſhouldeſt levy or cauſe to be levyed*

*as alſo*

*Coſts of Suit which* C. D. *hath recovered againſt him; by Virtue of which Writ thou didſt return unto Us, that thou hadſt taken in Execution of the Goods of the ſaid* A. B. *to the Value of the ſaid Debt and Coſts of Suit, which ſaid Goods remain in the Cuſtody of the ſaid* A. B. *by thee in form as aforeſaid taken, thou expoſe to ſale, and the Money thereof coming thou immediately render to the ſaid* C. D. *for his Debt or Damages and Coſt as aforeſaid; but if the Goods aforeſaid ſhall be imbezzel'd or made away, or that the ſaid* A. B. *doth not deliver the ſame, that then thou levy the ſaid Debts or Damages and Coſts upon any other the Goods and Chattles of the ſaid* A. B. *and immediately expoſe them to ſale, and if thou canſt not find ſufficient Goods or Chattles, by which the whole Debt or Damage and Coſts may be ſatisfied, that then you take the Body of the ſaid* A. B. *and him*

*him ſafely keep, ſo that thou have his Body before Us, at Our next Court, to ſatisfie the ſaid* C. D. *of the ſaid Debt or Damages and Coſt, or ſo much thereof as by thee cannot be levyed, and have thou then and there this Writ.* Witneſs, *&c.*

By virtue whereof the ſaid Goods ſhall be ſold by publick Outcry at the next Court of the Precincts, where the Goods are taken; and if they are ſo arreſted or taken in the Pariſh of St. *Catherines*, St. *Dorothy*'s, St. *Thomas* in the Vale, or St. *John*'s, until they ſhall have petty Courts of their own erected, Publication ſhall be then made at the ſame Court that the Return is made, that the ſaid Goods ſhall be ſold Twenty Days after by Publick Outcry in the Parade place of St. *Jago de la Vega*: and the Money ariſing from the ſaid Sale ſhall not remain in the Marſhals Hands, but be paid to the Plaintiff or his Order within Ten Days, under the Penalty of half the Debt, to be recovered by the Plaintiff to his own Uſe, in any Court of Record within this Iſland, where no Eſſoign, Protection, or Wager of Law ſhall be allowed.

And

And it is further enacted by the Authority aforeſaid, That where the Perſon againſt whom ſuch Execution is iſſued, hath not the Goods afore-mentioned in this Act by him to ſhew and offer to the Marſhal within the time preſcribed, that nevertheleſs the Marſhal ſhall not lay the Execution upon any Negroes, Working-Cattle, or Utenſil upon or belonging to any Plantation, Brick or Pot-Work, or any other Negroes whatſoever, if the Defendant ſhew or deliver to him any other Stock or Cattle being in a Pen, the ſaid Cattle or Stock to be ſold by publick Outcry, upon *Venditioni Exponas*, to be iſſued as aforeſaid.

And it is further enacted and ordained by the Authority aforeſaid, That all Accidents that happen, whilſt the Goods that are taken in Execution remain in the Defendants Poſſeſſion, be born and made good by the Defendant, and that no property ſhall be by the Defendant transferred or made in or to any ſuch Goods that ſhall be ſo taken in Execution by virtue of this Act. *Provided* always and it is hereby further enacted and declared, That where the Body of the Defendant ſhall be taken in Execution, that nevertheleſs if any Effects afterwards appear,

appear, the Plaintiff may take out another Execution, and levy the ſame on the ſaid Effects, for ſatisfaction of the ſaid Debt, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And it is further enacted by the Authority aforeſaid, That where any Priſoner or Priſoners under Execution ſhall have nothing to maintain him, her or themſelves, that then he, ſhe or they diſcloſing the ſame upon Oath unto two Juſtices of the Peace of the Pariſh where he, ſhe or they ſhall be Priſoners, and making it appear to the Judges of the Supreme Court, that he ſhe or they have given notice to all their Creditors Ten Days before the ſaid Court, that they or either of them intend to take the benefit of this Act, bringing likewiſe to the ſaid Court a Certificate of ſuch their Oath under the Hands and Seals of the ſaid Juſtices, that then the Priſoner or Priſoners ſo taken in Execution ſhall be publickly let to hire at the ſaid Court, the Marſhal Receiving for his Fees a proportionable ſhare with the other Creditors, and the Money ſo ariſing from the ſaid Hire ſhall be paid to ſuch Perſons as the Court ſhall appoint, to be equally divided among the Creditors as aforeſaid; but

but in caſe any Creditors ſhall refuſe to conſent to letting the ſaid Priſoner or Priſoners to hire, that then ſuch Creditor ſhall pay or cauſe to be paid to the ſaid Priſoner or Priſoners Three Shillings and Six Pence Weekly. *Provided* always, and it is hereby enacted, That if any Priſoner or Priſoners ſo let to hire ſhall at any time afterwards come to have or enjoy an Eſtate, having not firſt ſatisfied their Debts, that then at all times hereafter the Judgment obtained againſt him, her or them, ſhall remain good and in force, and another Execution ſhall be taken out and levyed againſt the Goods and Chattles of the ſaid Priſoner or Priſoners, whereſoever they ſhall be found.

And be it further enacted by the Authority aforeſaid, That if the Provoſt Marſhal by himſelf or any of his Deputies ſhall levy any Execution in any other manner than what is herein before declared, or ſhall ask, demand or receive any Mile-Money for the Executing any Writ of Execution or *Venditioni Exponas*, ſhall forfeit one Hundred Pounds Currant Money of this Iſland for every ſuch Offence, to be recovered in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed; the

the one Moyety whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, the other Moyety to the Party aggrieved.

And it is further enacted by the Authority aforeſaid, that the ſeveral Fines, Forfeitures and Penalties beforementioned in this Act, and not declared how they ſhall be diſpoſed of, ſhall be recovered in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, the one Moyety whereof ſhall be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Moyety to the Informer, or he that ſhall ſue for the ſame.

An

# An ACT

## *Appointing where the Laws of this* Iſland *ſhall be Lodged.*

WHereas no place hath been hitherto appointed for the lodging and ſecuring the Acts of this Iſland, ſo that his Majeſties Subjects have been at no Certainty where to find the ſame, and take Copies thereof, to their great Detriment and Inconveniency; for remedy whereof for the future, be it enacted and ordained by the Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That from and after the end and determination of this preſent Seſſion, as well the Original Acts heretofore made and enacted ſince the Seventeenth Day of *March*, in the Year of our Lord one Thouſand ſix Hundred and Eighty, as thoſe alſo herewith, or that ſhall hereafter be enacted, ſhall be Lodged in the Secretaries Office of Enrolments at St. *Jago de la Vega*, and not elſewhere; and the Secretary for the time being ſhall at all Office Hours be ready to ſhew all or any of the ſaid Acts when

thereunto required by any of his Majeſties Subjects as may or ſhall have occaſion to View the ſame, and ſhall give Copies thereof, or any Clauſe in any of them contained, for which he ſhall be allowed Eight Pence *per* Sheet, accounting Sixteen Lines to a Sheet, and Fourteen Words to a Line, and that he ſhall likewiſe be allowed for comparing and examining any Copy containing the whole Body of the Laws, with the Originals, Forty Shillings Currant Money and no more. And to the end his Majeſties Subjects may be fully ſatisfied, no Embezzelment, Razure, or Defacements of the ſaid Acts, or any of them ſhall for the future be commited in the ſaid Office, it is enacted and ordained by the Authority aforeſaid, that the Secretary of this Iſland, or his Lawful Deputy that ſhall Act in his Room or Stead, ſhall give in Bond with good and ſufficient Security to our Soveraign Lord the King, his Heirs and Succeſſors, in the Penalty of Four Thouſand Pounds in the following Condition.

*THE Condition of this Obligation is ſuch, that if the above bound* A. B. *ſhall and do well and faithfully Execute*

*cate and Perform the Offices and Places of Secretary, and Clerk of the Enrolments for this his Majeſties Iſland of* Jamaica, *and alſo faithfully and truly keep and preſerve in his ſaid Office, all and every of the Acts of this Iſland made ſince the Seventeenth Day of* March, *in the Year of our Lord God One Thouſand Six Hundred and Eighty, ſo that his Majeſties Subjects may have recourſe thereunto, and do in all things elſe comply with the Duty of the ſaid Offices according to the Truſt repoſed in him, and according to the Laws of this Iſland in ſuch Caſes made and provided, that then the above-written Obligation to be void and of none Effect, or elſe to remain in full force and virtue.*

*Provided* always, that neither the ſaid Secretary nor his Deputy for the time being, do or ſhall from and after the Twentieth Day of *November* next enſuing, preſume to Act or Officiate his ſaid Office until he or they ſhall enter into the aforeſaid Bond, with the Condition before recited, upon Penalty of Five Hundred Pounds for every time he or they ſhall ſo Officiate or Act in his ſaid Office, to be recovered in the Supream Court of Judicature in this Iſland, by Bill, Plaint or Information, wherein no Eſſoign, Pro-

tection, Injunction, Wager of Law, or *Non vult ulterius proſequi*, ſhall be admitted or allowed; the one half to be to our Soveraign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of his Majeſties Iſland and the contingent Charges thereof, and the other half to the Informer, or him that ſhall ſue for the ſame, any Law, Cuſtom or Uſage, to the contrary in any wiſe notwithſtanding.

*Provided* alſo, and be it hereby declared, That if the Secretary or his Lawful Deputy for the time being in this Iſland, ſhall enter into Bond as aforeſaid, which ſaid Bond ſhall be lodged as is appointed in an Act entituled, an Act for Regulating Fees, that then it ſhall be accounted ſufficient to diſcharge him or them from entring into any other Bond, or Security required by the Acts of this Iſland, any thing herein or in any other Act to the contrary notwithſtanding.

*Which*

*WHich Laws having upon the peruſal of the Right Honourable the Lords of the Committee of Trade and Foreign Plantations, been preſented to his Majeſty at this Board, his Majeſty was graciouſly pleaſed (with the Advice of his Privy Council) to approve and confirm the ſame for the ſpace of Seven Years, to commence from the firſt of* October *laſt preceding the Date hereof; And purſuant to his Royal Pleaſure thereupon ſignified and expreſſed, the ſaid Laws are hereby approved and confirmed for the ſpace of Seven Years accordingly.*

John Nicholas.

## An ACT.

*Requiring all Maſters of Ships and Veſſels to give* Security *in the* Secretaries *Office.*

BE it enacted by the Governour, Council and Aſſembly, and it is enacted and ordained by the Authority of the ſame, That the Maſter of every Ship or Veſſel, or ſome other for him in caſe of diſability, before he Trade within this Iſland, or Land any Goods on the ſame (living Creatures only excepted) ſhall wait upon the Governour or Commander in Chief for the time being, and give in Security in the Secretaries Office, with one ſufficient Freeholder or well known Merchant, ſuch as by common Repute is held to be worth ſo much, in the Sum of one Thouſand Pound Currant Money of this Iſland, that he ſhall not carry off this Iſland any Perſon without the Governours Ticket, nor Depart himſelf with his Ship or Veſſel, without the Governours Leave, under the Penalty of Fifty Pounds Currant Money of this Iſland, to be recovered by due courſe

courſe of Law, in any Court of Record within the ſame: one Third thereof ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, one Third to the Governour or Commander in Chief for the time being, and the other Third to the Informer, which Security the Secretary of this Iſland for the time being is hereby Impowered to take.

*Provided* always, and it is the true Intent and Meaning of this *Act*, That the Maſters of all Sloops, Barks and Veſſels, Trading to and from any Parts, Ports and Harbours within this Iſland, or that ſhall be imployed in Turtling or Fiſhing, for the uſe of this Iſland, ſhall be obliged to give Security in the Secretaries Office but once every Year, and that all Maſters of Sloops, Barks, and any other Veſſels belonging to the Inhabitants of this Iſland, Trading to and from this Iſland, ſhall be obliged to give Security, in manner and form as aforeſaid, but once in ſix Months, any thing in the *Act* ſeeming to the contrary notwithſtanding.

*And* be it further enacted by the Authority aforeſaid, That the Secretary of

this Iſland for the time being, or his lawful Deputy, ſhall not deliver any Perſon a Ticket under the Hand of the Governour to go off this Iſland, unleſs his Name have been ſet up in the Secretaries Office one and Twenty Days; a Liſt of which Names ſhall be duly ſet up in the Secretaries Office, both at St. *Jago de la Vega*, and *Port-Royal*, and that the ſaid Perſon do bring before him one or more of good credit and repute to make Oath, which Oath any Juſtice of the Peace (except the ſaid *Secretary*) is hereby Impowered to adminiſter, that he hath known him or her to go by that Name for one Year, if he or ſhe have been here ſo long, if not, then that he hath known him or her by that Name ſo long as he or ſhe hath lived in this *Iſland*, and that the ſaid Affidavit be kept filed in the ſaid Office, otherwiſe that he take good Security for the paying ſuch Perſons Debts ſo departing; all which the ſaid Secretary is bound to obſerve under the Penalty of being liable himſelf to ſatisfie all the Creditors of ſuch Perſon or Perſons, or Maſters or Miſtreſſes of Servants, ſo obtaining a Ticket, or otherwiſe carried off by any Maſter of Ship or Veſſel that ſhall not have given ſufficient Security according

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ing to the Intent and true Meaning of this Act, by which the aggrieved Perſon ſhall by Virtue of this Act have remedy at Common Law againſt the ſaid Secretary, Deputy Secretary or his or their Security; *Provided* nevertheleſs, that if the ſaid Bonds are not ſued within two Years after their ſeveral dates, they are hereby declared *null* and *void* to all Intents and Purpoſes whatſoever. *Provided* always, and it is hereby declared to be the true Intent and Meaning of this Act, that the ſaid Bonds ſo given as aforeſaid ſhall be taken in the Kings Name, but are hereby declared to be only to and for the uſe, and in truſt for the Perſon or Perſons concerned. And that when any of the ſaid Bonds ſhall be put in ſuit, and Judgment thereupon obtained, the Judgment ſhall remain in the ſame nature the Bonds were, and that no Execution Iſſue out thereupon before the Perſon aggrieved ſhall by *ſcire facias* or other Proceſs, ſummon the Perſon or Perſons againſt whom the Judgment aforeſaid is obtained, to appear and ſhew cauſe why Execution ſhould not Iſſue upon the ſaid Judgment; and if the Plaintiff in the ſaid *ſcire facias* ſhall duly prove what damages he hath ſuſtained, and thereupon a Verdict be found

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for him, the Judges ſhall in ſuch caſes award Execution for ſo much as the Jury ſhall then find and no more, and the former Judgment is hereby declared ſtill to remain Cautionary for the ſatisfaction of ſuch other of his Majeſties Subjects as ſhall Legally prove themſelves damnified, and recover the damages as aforeſaid by due courſe of Law; and if any Judgment have been already obtained and thereupon Execution taken out for the whole Sum mentioned in the Bond, that in ſuch caſes the ſaid Judgment remain in force, but that all Proceſs thereupon do ſurceaſe and be ſtopt, and that no benefit be had of the ſaid Judgment before the *Scire facias* be taken out, and the Damages legally proved as aforeſaid.

*Provided* alſo, That the ſaid Secretary or his Deputy, be obliged to keep his Office both at *Port-Royal*, and St. *Jago de la Vega*, and give attendance at both Places from Eight to Eleven of the Clock in the Morning, and from Two to Five of the Clock in the Afternoon, except on *Sundays* and ſuch Holy Days as are uſually obſerved in this Iſland, under the Penalty of Twenty Pounds Currant Money of this Iſland, one Moyety whereof to be to our Sovereign Lord the King, his Heirs and Succeſſors,

ceſſors, for and towards the ſupport of the Government of this Iſland and contingent Charges thereof, the other Moyety to the Informer, to be recovered in any Court of Record by Action, Bill, Plaint, or Information, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed.

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## An ACT

### *Encouraging the Settling of this Iſland.*

BE it enacted and ordained by the Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be Lawful for the Governour or Commander in Chief for the time being, or any of his Succeſſors, Governours of this Iſland, by Inſtrument under the Broad Seal of the ſame, to make any Alien or Aliens, Foreigner or Foreigners, being already Settled in this Iſland, or ſuch as ſhall hereafter come to ſettle and plant in it, having firſt taken the Oath of Allegiance, to be at all Intents

Intents and Purpoſes fully and compleatly Naturalized; and that the ſaid Perſon ſo approved of and named in the ſaid Letters Patents, as aforeſaid, ſhall by virtue of this Act have and injoy, to them and their Heirs, the ſame Immunities and Rights of and unto the Laws and Privileges of this Iſland, in as full and ample manner as any of his Majeſties natural born Subjects have or enjoy within the ſame, or as if they themſelves had been born within any of his Majeſties Realms, or Dominions, any former Law, Act, Ordinance, Uſage or Cuſtom to the contrary notwithſtanding. And to the Intent the ſaid Letters Patents and Inſtruments under the Broad Seal of this Iſland aforeſaid may be obtained without any great difficulty or charge, be it therefore enacted and ordained by the Authority aforeſaid that the Governour or Commander in Chief ſhall have and receive for the ſame Five Pounds Currant Money of this Iſland, and his Clerk for writing of it Ten Shillings, and no more ſhall be paid to any Perſon or Perſons for the paſſing the ſame upon any pretence whatſoever: And whereas ſeveral Aliens and Foreigners that have formerly tranſported themſelves to this his Majeſties Iſland, have

have taken up and patented in their own Names ſeveral parcels of Land, or otherwiſe made purchaſes of Lands, Houſes, or other real Intereſt, and afterwards the ſame have been ſold, deviſed or elſe taken by Eſcheat or *Ceſſavit* and granted to any of his Majeſties Liege People, Inhabitants of this Iſland: It is therefore hereby enacted and ordained by Authority aforeſaid, That all ſuch Perſon or Perſons that have ſo bought or do hold by virtue of any device of any Alien or Aliens, any Lands, Houſes, or Tenements, be as well ſecured, and by virtue of this Act be for ever confirmed in the quiet and peaceable Poſſeſſion of all ſuch purchaſes or devices, as if they had been ſold or deviſed by any of his Majeſties Natural born Subjects, and ſhall be good to their Heirs and Aſſigns for ever, any former Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

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## An ACT

*For Ordering Boats and Wherries, and better Government of* Seamen.

BE it enacted by the Governour, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, that no Shallopman, Boatman or Wherryman, or any other Perſon or Perſons Employed in any Shallop, Boat, Wherry or other Veſſel, ſhall ask or demand for tranſportation of any Goods, Perſon or Perſons, but according to the Rates hereafter mentioned, *viz.*

For a Boat or Wherry from *Paſſage-Fort* to *Port-Royal*, *Salt Ponds*, or St. *Andrews*, or from St. *Andrews* to *Paſſage-Fort*, or backwards from any of the aforeſaid Places in the Day time Two Shillings and Six Pence, and in the Night Three Shillings, and at uſual times when there are Six Paſſengers or more, of every Perſon Six Pence; and whatſoever Wherryman ſhall refuſe to carry any Perſon to or from the aforeſaid Places at the Rate aforementioned ſhall forfeit Twenty Shillings,

lings, to be recovered from the Owner of ſuch Boat by a Warrant of diſtraint from any of his Majeſties Juſtices, and to be diſpoſed of for the Poor of the Pariſh.

*And* the Freight of any Goods or Liquors betwixt any of the aforeſaid Places, Three Pence the Hundred.

For any quantity not exceeding a Barrel; Seven Pence Half-Penny *per* Barrel, and Eighteen Pence *per* Hogſhead.

*And* that no Boatman or Shallopman have for the Freight of one Hundred Weight of any Goods, if he brings them from the North ſide of this Iſland, between the Eaſtermoſt point and point *Negril*, to any part of the South ſide, more than Two Shillings, *Provided* the ſame exceed not the quantity of a Barrel.

For every Barrel Three Shillings.

*And* for every Hogſhead Eight Shillings, and ſo proportionably for a greater quantity than a Barrel.

*And* for every Head of great Cattle brought alive Ten Shillings.

*And* for a Sheep or a Hog Twelve Pence.

And for every Paſſenger Two Shillings.

And

And the ſame Rates they ſhall receive for Paſſengers, Goods or Cattle, from the South ſide to the North ſide, and that each Boatman have for the Frieght of any Goods from *Port-Royal* to *Port-Morant* or *Richardſons Bay*, or any Landing Place to *Port-Royal*, Nine Pence *per* Hundred, not exceeding an Hogſhead, except it be Barrels at Two Shillings *per* Piece.

And for an Hogſhead Five Shillings.

And for Wood which they ſhall carry at Ten Shillings *per* Ton.

And Eighteen Pence *per* Head for Paſſengers.

And that they ſhall have from *Port-Royal* to any part of St. *Davids*, or from any part of St *Davids* to *Port Royal*, Six Pence for every Hundred, not exceeding an Hogſhead.

And for every Hogſhead Four Shillings.

And for every Paſſenger Twelve Pence *per* Head.

And for every Ton of Wood Eight Shillings *per* Ton.

And that the ſaid Boatmen or Shallopmen ſhall demand and receive for Freight of any Goods they ſhall carry to *Port Royal* from any Landing Place between *Point Negril*

*Negril* and *Point Pedro*, Eighteen Pence *per* Hundred.

Two Shillings *per* Barrel, and Six Shillings *per* Hogſhead.

And from *Aligator Pond*, Twelve Pence *per* Hundred, and Six Shillings *per* Hogſhead.

And from *Milk River*, Twelve Pence *per* Hundred, Two Shillings *per* Barrel, Five Shillings *per* Hogſhead.

From *Carliſle* Town, Twelve Pence *per* Hundred, Two Shillings *per* Barrel, and Four Shillings and Six Pence *per* Hogſhead.

And from *Old Harbour*, Six Pence *per* Hundred, Fifteen Pence *per* Barrel, Three Shillings *per* Hogſhead.

And that the ſaid Boatmen ſhall receive the ſaid Rates from *Port-Royal* to any of the ſaid places.

And whatſoever Shallopman, Boatman, or Wherryman, or any other Perſon or Perſons Imployed therein, ſhall demand greater Rates than is mentioned in this *Act*, ſhall forfeit Ten Pounds Sterling for every ſuch default.

The one half to be to our Soveraign Lord the King, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof.

And the other half to the Informer, who ſhall ſue for the ſame in any Court of Record, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

And be it further enacted and ordained, That no *Negro*, *Indian*, or *Mulatto*, ſhall be permitted or allowed to row in any Wherry belonging to this Iſland; and that no Owner of any Canoa ſhall be permitted to Imploy any of them without having one White Man therein; and that all Owners of Boats, Wherries, or Canoas, ſhall every Night Chain and Lock every of them to ſome Bridge or firm Poſt, and alſo take away the Oars, Sails and Rudder, and ſecure them in ſome ſafe Place under Lock and Key.

And whatſoever Maſter or Owner of any Wherry, Boat, or Canoa ſhall offend in any of the foregoing Clauſes, ſhall forfeit for every ſuch Offence Ten Pounds Sterling, to be recovered and diſpoſed of as aforementioned.

*Provided* always, and it is hereby intended, that each Maſter or Owner of Wherry, Boat or Canoa, ſhall have Six Months time allowed them from the making hereof, to furniſh themſelves with White Men in order to the performance of this preſent *Act*. And

And it is enacted and ordained by the Authority aforeſaid, that all Maſters of Boats, Shallops, or other Veſſels that Trade from place to place in or about this Iſland, ſhall every time they arrive at *Port-Royal*, leave an account of their Loading in Writing at the *Naval Office* at any time between Sun and Sun.

*Proveded* that their Loading is nothing but the Growth, Production, or Manufactury of this Iſland, and ſuch notice and account given in writing as aforeſaid ſhall be accounted a ſufficient entry, and diſcharge any ſuch Maſter from any trouble whatſoever.

And it is further enacted and declared by the Authority aforeſaid, That any Perſon or Perſons who ſhall hereafter be indicted or impleaded for the ſtealing or felonioufly taking away of any Shallop, Boat, Wherry, Canoa or other Veſſel, from any part of this Iſland, or ſhall be conſenting, aiding, or aſſiſting to the doing of the ſame, and ſhall thereof be convicted according to Law, ſhall be adjudged guilty of Felony.

And it is further enacted and declared, That if the intention, contrivance, or complotting of any Perſon with others to ſteal away any Shallop, Canoa, Boat,

Wherry, or other Veſſel, ſhall evidently appear by ſufficient Proof, or their own Confeſſion, the Offender or Offenders, if free, ſhall be condemned by the Juſtices in Seſſions to pay the Sum of Ten Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof.

And if the ſaid Perſon or Perſons ſo found guilty ſhall not preſently pay the ſaid Ten Pounds, or give Security for the ſame, the Juſtices in Seſſions ſhall preſently expoſe the Offender or Offenders to publick Sale for the payment thereof, not exceeding the Term of Four Years.

But if the ſaid Perſon or Perſons ſo Offending ſhall be Servants, then he or they ſhall be ordered by the Juſtices in Seſſions to be whipt, not excceeding Thirty Nine Laſhes, on the bare Back, in ſome publick place in the ſaid Iſland, and alſo that he or they ſo Offending ſhall after their time expired by Indenture, Cuſtom, or Covenant with his or their Maſter, Miſtreſs or Imployer, be ſold by the Juſtices in Seſſions for the Term of Four Years, and the Money that he or they

ſhall

ſhall be Sold for ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof.

And it is further enacted by the Authority aforeſaid, that no Seaman belonging to any Ship or Veſſel whatſoever, ſhall be truſted for any thing, and that whoſoever ſhall truſt him or them, or retain any of them in their Houſes, ſhall loſe his or their Money which they ſo truſted them withal, and be likewiſe liable to be proceeded againſt, as by the *Act* of this Country for retaining Mens Servants, and to be ſubject to all thoſe Penalties therein mentioned, (excepting matter of Trade) and if any Victualler or Retailer of ſtrong Liquors do truſt any Sea-faring Man, not generally reſiding upon or belonging to this Iſland, above the value of Forty Shillings, though he have Bond or Bill for the ſame, he ſhall loſe his or their Money which they ſo truſted them withal.

And if any Commander of Ship or Veſſel ſhall entice away any Seaman belonging to any other Ship, before he be Lawfully diſcharged, he ſhall forfeit fifteen Pounds Sterling.

The one half thereof to the uſe of our Sovereign Lord the King, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof.

And the other half to him or them that ſhall ſue for the ſame, in any Court of Record, by Bill, Plaint or Information, any thing herein or any other *Act* containing to the contrary notwithſtanding.

And whereas many times diſputes have riſen at *Port-Royal* about executing the Warrants of Juſtices of the Peace upon the Water which is within the Body of the ſaid Precinct.

It is therefore enacted by the Authority aforeſaid, that all ſuch Warrants given by Juſtices of the Peace, againſt any Perſon or Perſons, on Board any Ship or Veſſel, be directed to the Provoſt-Marſhal or his Lawful Deputies, or any of the Lawful Conſtables of the place according to the tenor of the ſaid Warrant, who are hereby Required and Impowered to execute the ſaid Warrant and to receive for the ſame Three Shillings.

And whereas divers Seamen, out of an Opinion of Imploying themſelves here to better Advantage, have taken an Occaſion

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to deſert the Ships they belong unto, juſt as they are ready to Sail, to the great endangering both Ship and Cargo.

Be it therefore enacted by the *Authority* aforeſaid, that whatſoever Seaman ſhall deſert the Ship he belongs unto, and ſhall be found or taken after the departure of the ſaid Ship, and cannot produce ſufficient teſtimony of his being Lawfully diſcharged by the Maſter or Commander thereof, ſhall by order of any one Juſtice of the Peace receive Thirty One Laſhes on the bare Back by the Common Hangman, or other Inferiour Servant of the Priſon, who ſhall hereby be Commanded in any publick manner the ſaid Juſtice ſhall direct.

And foraſmuch as divers Inconveniences happen by the diſorderly going on board Ships before the Maſter hath been on Shore with the Governour, as well in the Miſcarriage of Letters, as the ingroſſing the moſt uſeful Commodities.

Be it further enacted by the *Authority* aforeſaid, that no Perſon whatſoever, without leave of the Chief Officer upon *Port-Royal*, ſhall preſume to go on Board any Ship or Veſſel at her entring into Harbour, until the Marſhal or his Deputy have firſt been on Board with the Maſter,

and brought him on Shoar to the ſaid Chief Officer, under the Penalty of Forty Shillings, to be recovered by Warrant from any Juſtice of the Peace, in the ſame manner as is directed in the *Act* Impowering Juſtices to decide all differences not exceeding Forty Shillings; the one half to the Informer, the other half to the Poor of the Pariſh.

And be it further enacted by the *Authority* aforeſaid, That no Maſter, Merchant, Factor, or other Perſon whatſoever, preſume to Treat, Grant, or obtain a Promiſe for any Merchandize or Commodity, to the value of Ten Shillings, or any quantity of Tonnage or Freight, until the Maſter hath been with the Governour or Commander in Chief of this Iſland, or ſome other Officer as he ſhall appoint, under the Penalty of Fifty Pounds on each Perſon that ſhall ſo Treat, Grant, or obtain a Promiſe as aforeſaid, any Cuſtom or Uſage to the contrary heretofore notwithſtanding; the ſame to be one half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, and the other half to the Informer, to be recovered by Bill, Plaint, or In-

Information in any Court of Record within this Iſland,

## An ACT

## *For Regulating* SURVEYORS.

BE it enacted by the Governour, Council and Aſſembly, and it is hereby enacted and ordained by the *Authority* of the ſame, That no Perſon whatſoever ſhall preſume to act or perform the Office or Imployment of a Surveyor-General within this Iſland, before he hath given good and ſufficient Security in the Sum of Four Thouſand Pounds Currant Money of this Iſland, for the juſt and faithful performance of his Office and Truſt, according to the Duty of his ſaid Office and Imployment, and that the Bonds for Security be careſully kept and recorded in the Secretaries Office; and upon any Damages received by any Perſon from the ſaid Surveyor, or any Deputed under him in the negligent or corrupt performance of his or their Surveys, and due application thereon made

to

to the Governour, the ſaid Bond ſhall be put in Suit, and due Recovery thereon made, for ſuch Damages as they ſhall prove to have received, in the ſame manner and form as is declared and provided by the *Act*, entitled, An *Act* requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office,

*Provided* always, and it is the true Intent and Meaning of this *Act*, That it ſhall and may be Lawful for any Perſon or Perſons whatſoever to Survey, Reſurvey and run any dividing Lines, and give Plats of any Land already Patented, or that ſhall be Patented or Surveyed within this his Majeſties Iſland, except where the King is or ſhall be a Party, in which caſe only the Surveyor-General, his Deputy, or Deputies, or any other Perſon thereunto Lawfully Authorized by the Governour for the time being, ſhall Survey, Reſurvey or run dividing Lines and give Plats thereof, any Law, Cuſtom, or Uſage, ſeeming to the contrary in any wiſe notwithſtanding.

Be it further enacted and ordained by the *Authority* aforeſaid, That the Surveyor-General, or any other Perſon thereunto Lawfully Authorized as aforeſaid, ſhall by himſelf, or his Deputy, or Deputies, execute

execute every ſuch Order or Warrant for the Surveying or running out of Lands, as from Time to Time ſhall be directed to him or them as aforeſaid, within a reaſonable time after the proving of ſuch an Order or Warrant; that is to ſay, in any place within the Pariſhes of St. *Catherines*, *Port-Royal*, or St. *Andrews*, within one Month, in any place within the Pariſhes of *Vere*, *Clarendon*, St. *Dorothy*, St. *John*, St. *Mary*, St. *Thomas* in the Vale, St. *David* or St. *Thomas* to windward, within Three Months, and in any other Pariſh whatſoever within this Iſland, within Six Months, upon Penalty of one Hundred Pounds Currant Money of this Iſland, for every ſuch Default; the one half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, and the other Moyety to the Perſon aggrieved, or to him that ſhall ſue for the ſame, to be recovered in any of his Majeſties Courts of Record within this Iſland, by Bill, Plaint, or Information, wherein no Eſſoign, Protection, or Wager of Law ſhall be allowed.

*Provided* always, That if any Perſon, under the pretence of Surveying Lands, ſhall

ſhall cauſe the Surveyor or any of his Deputies to take a Journey, and when he comes at the Time and Place aſſigned, ſhall not be there ready to ſhew him the Land that is to be Surveyed, ſo that he cannot perform the ſame, the Parties aforeſaid ſhall pay and ſatisfie unto the ſaid Surveyor or his Deputy Ten Shillings *per diem* for every Day he ſhall ſo loſe, for his Pains and Charges in the ſaid Journey.

*And* be it further enacted by the *Authority* aforeſaid, That the ſaid Surveyor General, by himſelf or his Deputy, erect his Office at the Town of St. *Jago de la Vega*, under the Penalty of Five Hundred Pounds Currant Money of this Iſland, to be recovered and levyed as aforeſaid; and that he or his Deputy keep or attend his Office from Eight to Eleven in the Forenoon, and from Two to Five in the Afternoon, every Day except *Sundays* and Holy Days, under the Penalty of Forty Shillings, to be recovered by Warrant from any Juſtice of the Peace to the uſes aforeſaid, any Cuſtom or Uſage heretofore to the contrary notwithſtanding.

*Provided*, That a power be left in the Kings Majeſty and his Officers, to re-examine

amine the Surveyors for what concerns his Majeſty.

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## An ACT

*For further Directing and Regulating the Proceedings of* Surveyors.

FOR*aſmuch* as it hath been found by Experience, that the *Act* Entitled An *Act* for *Regulating Surveyors* hath not ſufficiently provided againſt the ſeveral abuſes by ſundry evil diſpoſed Surveyors, formerly, and now alſo often done and committed contrary to their Duty, and the Truſt repoſed in them, to the damage of his Majeſty, and of his Liege People of this Iſland, and which in ſome caſes may tend to the utter ruin of many of his good Subjects; for prevention whereof, be it enacted by the Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Surveyor whatſoever preſume to deliver any Plat, whereby any parcel of Land ſhall paſs the Broad Seal of this Iſland, before he hath himſelf in his own Perſon actually Surveyed

ed and Meaſured the ſaid Land on every ſide thereof, where it is acceſſible and poſſible to be done, and hath alſo ſeen the Lines fairly made, and the Corner Trees marked with the firſt Letters of his Name and Sirname expreſſed in the Order, and that the ſaid Plat ſhall truly repreſent the reſpective parcels of Land, with their true bounds and bearings, and expreſſing the ſort of Wood every Corner Tree is of, with the Alphabetical Marks aforeſaid, and alſo inſert the Scale of the ſame, either drawn or expreſſed therein, under the Penalty of Fifty Pounds for every ſuch Default.

And be it further enacted and ordained by the Authority aforeſaid, That where any Surveyor ſhall be called or imployed to Survey or Reſurvey any parcel of Land bounding upon any Land already taken up, the ſaid Surveyor, before he preſume to run upon any ſuch Lines, ſhall give notice thereof to the reputed Owners or Poſſeſſors of the ſaid Land, if he know them, and that they are Inhabitants in the Precinct where the ſaid Survey or Reſurvey is intended to be made or done; and if he do not know the Owner of the ſaid Land, or that the ſaid Owner dwell not in the Precinct, that

that then he give notice to the two next Neighbours, under the Penalty of Twenty Pounds for every ſuch Default.

And be it further enacted and ordained by the Authority aforeſaid, That no Surveyor ſhall preſume to Survey or lay out any Land to paſs the Broad Seal of this Iſland, directly or indirectly for his own uſe, but ſhall imploy ſome other Surveyor to do the ſame, under the Penalty of Fifty Pounds.

And whereas ſundry Surveyors have practiſed to give Plats to paſs the King's Grant for ſeveral parcels of Land, upon ſome of which Parcels they have either through negligence or evil deſign, never made any actual Survey, *viz.* either Marking one Corner-Tree or more, and running and marking no Lines, but projecting the whole, or elſe ſome part where the natural Situation of the Land would well permit the due Survey and cutting Lines, which tends to the diſhonour of his Majeſty, and great damage, even in ſome caſe, to the ruin of many of his good Subjects of this Iſland, be it therefore enacted and ordained by the Authority aforeſaid, That all preſent Surveyors who have given Plats whereby any parcel of Land hath paſſed the Broad

Broad Seal of this Iſland, without actual Surveying on all ſides where the Situation of the ſaid Land makes it poſſible to be done, ſhall on requeſt to them made at any time compleat any former Survey, according to the Plat by them given, running fair Lines where they had before projected only, and Marking Trees in the ſaid Lines with three Notches in Wood-Land, according to Cuſtom, and making fitting Marks in other Lands. And it is hereby alſo provided, That no Surveyor, or who hath executed the Office as a Surveyor, is hereby obliged to make Reſurvey or cut Lines in Lands which have been patented more than Four Years; and whatſoever Surveyor or that hath executed the Office of a Surveyor in this Iſland, ſhall after due requeſt as aforeſaid, deny, refuſe, or delay to cut the above-ſaid Lines, and rectifie the above-mentioned Errors, in ſuch manner as is before expreſſed, ſhall forfeit for every Three Months they ſhall ſo deny, refuſe, or delay the ſame, the Sum of Twenty Pounds, to be recovered in any Court of Record in this Iſland, one half whereof to our Sovereign Lord the King, for the Publick uſe of this Iſland, and the other half to the Informer, Party

ty Injured, or who will ſue for the ſame.

And for prevention of Diſputes and Differences that may ariſe alſo of an evil practice of ſome Surveyors, who when an Order hath been given for running out Land, have made their own Advantages of the ſame, running it out for other Perſons; It is alſo hereby enacted, That every Surveyor ſhall at any time, when an Order for the Survey of Land is offered him, immediately take a *Memorandum* thereof, with the place where the Party bringing it deſires it ſhould be run out, mentioning alſo the time of the receipt thereof, and ſhall alſo write the ſame on the back of the ſaid Order, and ſhall alſo Survey the ſaid Land accordingly for the ſaid Perſon, if he be ready in reaſonable time, after due notice by the ſaid Surveyor given, to ſhew the ſaid Land; and if it ſhall ſo happen, that the ſaid Surveyor ſhall have received an Order already, which he believes is for the ſaid parcel of Land, he ſhall then declare the ſame, and alſo ſhew the ſaid Order, if deſired, under the Penalty of Forty Pounds for every ſuch default; and every Surveyor ſhall on every Survey return two Plats of the ſaid Survey into the Pa-

tent-Office, the one to be left there, and the other to be affixed to the Grant.

And it is hereby alſo further enacted, That the Clerk of the Patents ſhall affix one of the two Plats delivered him by the Surveyor (as above provided) unto the Grant, and keep the other Plat in the ſaid Office, without any Embezzelment of the ſame; and that the Secretapy of this Iſland ſhall Record a true Cory of the Plat ſo affixed to the Grant or Patent, next unto the Record of each reſpective Grant or Patent; and that the Clerk of the Patents ſhall receive for Writing an Original Patent Ten Shillings, and no more; and if the Clerk of the Patents or Secretary of this Iſland ſhall Offend againſt any of the Clauſes of this Act, he or they who ſhall ſo Offend, ſhall forfeit the Sum of Twenty Pounds for each Offence by him or them Committed.

And it is alſo hereby enacted, That every Surveyor or Clerk of the Patents, or any other Perſon in whoſe Hands ſoever any Original Plat is Lawfully Lodged, ſhall on requeſt by any one made, give a true Copy of any Plat in their Poſſeſſion, and receive Two Shillings and Six Pence for the ſame, and no more; and whoſoever

ever aforeſaid ſhall refuſe or deny the ſame, ſhall forfeit Forty Shillings for every ſuch Offence, to be recovered by Warrant from any Juſtice of the Peace, one half of which Forfeiture to be received by the ſaid Juſtice, and paid by him to the Church-Wardens, for the uſe of the Poor of the Pariſh, and the other half to the party complaining.

And whereas in an Act, Entitled, *An Act for regulating Fees*, it is made Lawful for every Surveyor to receive Two Pence *per* Acre for all Lands by him or them Surveyed, *viz.* for the Survey of the ſame, and no more. It is hereby enacted by the Authority aforeſaid, That it ſhall and may be Lawful for every Surveyor to receive one Penny *per* Acre more than the ſaid Act allows; that is, Three Pence *per* Acre for Surveying any quantity of Land, and no more.

And it is hereby enacted, That every Perſon who ſhall receive a Commiſſion from the Governour to be a Surveyor in this Iſland, ſhall give Bond with ſufficient Surety in the Sum of Three Hundred Pounds, for the true and juſt performance of his Office, before he Act in the ſame, under the Penalty of Fifty Pounds for every ſuch Offence; the ſaid

Bond to be carefully kept and Recorded in the Secretaries Office, that upon any negligence or corrupt performance of their Office, it may be put in ſuit in the ſame manner as is declared and provided for the recovery of the Bond for Security, given by all Maſters of Ships and Veſſels, and appointed in the Act, Entitled, *An Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office.*

But it is hereby provided nevertheleſs, That if the Surveyor-General ſhall keep his Office, and perform the Duties herein required both in his own Perſon and his Deputies, and as is provided in an Act, Entitled, *An Act for Regulating Surveyors*, that then it ſhall and may be Lawful for the ſaid Surveyor-General to employ Deputies as formerly hath been done; but that his Bond of Four Thouſand Pounds mentioned in the aforeſaid Act, ſhall remain Cautionary for Security, that himſelf, and alſo his Deputies, do well obſerve and perform all the Directions and Clauſes of this Act for future Surveys, under the ſeveral Penalties therein expreſſed.

Be it further enacted by the Authority aforeſaid, That if *Robert Felgate* or any Perſon

Perſon whatſoever, who have any Original Plat in their Cuſtody, do not return the ſame into the Patent-Office, at or before the Five and Twentieth Day of *March* next enſuing, ſhall, upon due Conviction thereof, for every Plat ſo kept back, forfeit the Sum of one Hundred Pounds.

And it is alſo hereby enacted and ordained by the Authority aforeſaid, That all Penalties mentioned in this Act, and no proviſion made where they ſhall be recovered, or how diſpoſed of, ſhall be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed; one half of which Forfeitures ſhall be unto our Soveraign Lord the King, towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, and the other half to him or them that ſhall ſue for the ſame, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

## *A Supplemental and Explanatory* ACT.

BE it enacted and ordained by the Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Miniſter of each Pariſh be conſtantly one of the Veſtry, and that no Veſtry preſume to make any Order, without having firſt given timely notice to the ſaid Miniſter to be there.

And be it further enacted by the Authority aforeſaid, That the Inhabitants of the Pariſh of St. *Dorothy's* and St. *Thomas in the Vale*, pay all Pariſh Dues and Duties as formerly to the Pariſh of St. *Catherines*, till each be provided of a Church and Miniſter of their own, and that the Precincts of the *Magotty* pay all Parochial Duties to the Pariſh of St *John* (reparation of the High-Ways only excepted) until there be a Church built and a Miniſter ſettled in the Pariſh of St. *Thomas in the Vale*; and when the Pariſh of St. *Dorothy* ſhall be provided of a Church and Miniſter, that then the Bridge lying over *Black River* ſhall be built and re-

repaired whenſoever there ſhall be occaſion for the ſame, at the common and equal Charge of the Pariſhes of St. *Catherine* and St. *Dorothy*; and the High-Ways from the Ford of *Rio Cobre* at the Creſcent unto Major *George Nedham*'s Walk, to be kept and maintained at the Charge of the Inhabitants of St. *Thomas in the Vale*.

Be it enacted by the Authority aforeſaid, That a North North-Weſt Line, from the Head of *Swift River*, to the South Bounds of St. *Anns*, ſhall be the Eaſterly and Weſterly Bounds of the Pariſhes of St. *Elizabeth* and *Clarendon*.

And be it further enacted by the Authority aforeſaid, That from and after the Twentieth Day of *December*, in the Year of our Lord one Thouſand Six Hundred Eighty and Three, no Common Horſe-Catcher preſume to Ride or Drive in any *Savanna*, to take up any Horſes, Mares or Colts, without having firſt given Bond, with ſufficient Security, in the Sum of one Hundred Pounds, to the Juſtices ſitting in open Seſſions of the Peace for that Precinct, where the ſaid Horſe-Catcher ſhall Ride or Drive as formerly, under the Penalty of Ten Pounds for each Offence; which Bonds to be taken

in the King's Name, and due recovery thereon to be had, as is appointed in an Act requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office. And the ſaid Horſe-Catcher having given ſuch Bond with Security aforeſaid, ſhall obtain an Order from the Juſtices then ſitting in Seſſions, to Ride and Drive as aforeſaid, any Law, Cuſtom, or Uſage, to the contrary in any wiſe notwithſtanding.

And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *December*, in the Year of our Lord one Thouſand ſix Hundred Eighty Three, no Common Horſe-Catcher whatſoever ſhall mark Horſe, Mare or Colt, or any ſort of Neat Cattle, without having firſt given notice in the Pariſh Church the Sabbath-Day before they intend to mark, under the Penalty of Twenty Pounds for every ſuch Default.

And it is further enacted by the Authority aforeſaid, That from and after the firſt Day of *December*, in the Year of our Lord one Thouſand Six Hundred Eighty Three, it ſhall be inſerted in the Bond of Maſters of Ships or Veſſels, giving Security in the Secretary's Office, That

That no Maſter of any Ship or Veſſel preſume to carry off this Iſland any Slave or Slaves, without a Ticket under the Hand of the Governour or Commander in Chief, wherein ſhall be inſerted the Owners Name, who ſhall alſo make Oath before ſome one Juſtice of the Peace, that the ſaid Slave or Slaves is his or hers, or that they have ſufficient Power from the Owner of ſuch Slave or Slaves to tranſport the ſame, upon Forfeiture of double the value of ſuch Slave or Slaves ſo carried off without ſuch Ticket; one half of which Forfeiture to be to our Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, the other Moyety to him or them that ſhall ſue for the ſame; and that the Secretary take Two Shillings Six-Pence as his Fee for each ſuch Ticket, provided he inſert as many in each Ticket as the Owner of the Slave or Slaves ſhall require.

And whereas it is thought fit and neceſſary, that Night Guards be duly and conſtantly kept in the Town of St. *Jago de la Vega*, be it therefore enacted and ordained by the Authority aforeſaid, That from and after the Twentieth Day of *October*,

*October*, in the Year of our Lord one Thouſand ſix Hundred Eighty Three, at the Town of St. *Jago de la Vega*, there be conſtantly and duly kept each Night in the Year a Guard, conſiſting of Eleven Perſons; that is to ſay, Three Troopers with a Corporal or other Officer, and ſix Foot-Soldiers with a Corporal or other Officer, ſuch as the Captains of Troop and Company or their ſuperiour Officers ſhall appoint; and whatſoever Officer or Soldier ſhall neglect his or their Duty herein, ſhall be fined in manner as is appointed for Non-Appearance in Arms in the Act for ſettling the Militia, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding,

And be it further enacted by the Authority aforeſaid, That it ſhall and may be Lawful for any Captain of a Troop or Company within this Iſland, or other Officer impowered by the Act for ſettling the Militia, to Iſſue out Warrants for the levying of ſuch Fines and Forfeitures, relating to any Perſon under the degree of a Captain, and direct the ſame as well unto the Marſhal of each Regiment as the Serjeant or Corporal of the Reſpective Troop or Company, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding. And

And be it further enacted by the Authority aforeſaid, That the Surveyors of of the High-Ways for the ſeveral Pariſhes and Precincts of this Iſland, for the time being, upon any ſudden or extraordinary Occaſions for the repairing the High-Ways, ſhall repreſent the ſame to the Juſtices of the reſpective Precincts where the Ways are broken; upon which the Major Part of the ſaid Juſtices, together with the Surveyors, are hereby impowered at any ſuch time or times to lay a Tax upon the Inhabitants of the ſaid Precincts, of ſuch Money, Labour, or other things, as to them ſhall ſeem neceſſary and convenient for the immediate repair of the ſame, any former Law to the contrary notwithſtanding.

Be it alſo enacted by the Authority aforeſaid, That when any Sugar, Ginger, Anotto, Indico, Cacao, Cotton, or Piemento, (being the Production of this Iſland) ſhall be taken upon Writ of *Venditioni Exponas*, the ſame ſhall be carried to *Port-Royal*, at the Charge and Riſque of the Defendant, and there be appraiſed by the Church-Wardens for the time being, and in abſence of one of the ſaid Church-Wardens then by the Church-Wardens preſent, and either of the Church-Wardens of

the

the foregoing Year, and in abſence of both the Church-Wardens for the time being, then by both the Church-Wardens that were for the preceding Year, the ſaid Church-Wardens being firſt ſworn to appraiſe the ſaid Goods according to their juſt value, without Favour or Affection to either Party; which Oath any one Juſtice of the Peace is hereby impowered to adminiſter; and the ſaid Goods ſo taken and appraiſed ſhall by the Provoſt Marſhal be forthwith delivered to the Plaintiff, for ſo much Money as the ſame ſhall be appraiſed at, which ſhall be taken and accepted by the Plaintiff, as ſo much Money effectually paid him, any former Law to the contrary notwithſtanding.

And it is further enacted by the Authority aforeſaid, That the ſaid Church-Wardens ſhall receive from the Defendant Four Pence out of every Twenty Shillings value of what they ſhall ſo appraiſe; and if they or any of them ſhall refuſe to appraiſe upon Oath the Goods ſo taken as aforeſaid, he or they ſo refuſing ſhall forfeit for every ſuch refuſal the Sum of Ten Pounds, to be recovered by Bill, Plaint, or Information, in any Court of Record within this Iſland; the

ſame

ſame to be one half to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, and the other half to the Informer or he that ſhall ſue for the ſame.

Be it alſo enacted by the Authority aforeſaid, That none ſhall be deemed or adjudged to be Freeholders of known reſidence, unleſs he poſſeſs Five Acres planted, or a Houſe of the value of Ten Pounds *per Annum* on his Freehold, and all others ſhall be liable to an Arreſt, any former Law, or Cuſtom, to the contrary notwithſtanding.

And whereas it is provided by an Act, Entitled *An Act for eſtabliſhing of Courts, and directing the Marſhal's Proceedings*, That Poor Priſoners, that have not wherewith to maintain themſelves, may under certain terms and conditions therein expreſſed, be publickly let to Hire, towards ſatisfaction of their Creditors, by which divers Frauds have been commited: Be it therefore enacted by the Authority aforeſaid, That no Priſoner hereafter ſhall have the benefit of that Act, until he or ſhe have firſt delivered into the Court a true and perfect Liſt of all the Debts, Goods and

and Moneys, that he or ſhe hath, or can claim in this Iſland, and there made a full aſſignment and delivery thereof unto the Provoſt-Marſhal, for the uſe of the Creditors, and have further taken in open Court this following Oath.

I A. B. *do ſwear, That I have now delivered into the Court a true and perfect Liſt of all the Debts, Goods and Moneys, which I have, or can any way lay claim unto in this Iſland; and that there hath not been either by my ſelf or any other by my direction made over, concealed, or any ways ſecured for me, any other Goods, Debts or Moneys, more than is there expreſſed, excepting only Five Pounds reſerved for my neceſſary Subſiſtance: So help me God.*

And the Goods, Debts, and Money, ſo aſſigned and delivered unto the Provoſt-Marſhal, ſhall be by him accounted for and paid unto the ſaid Creditors, in ſuch Proportions as by the ſaid Act is directed for the Hire or Wages of the ſaid Servant, any Law, or Cuſtom, heretofore to the contrary notwithſtanding.

Provided alſo, That the ſeveral Fines, Forfeitures and Penalties, aforementioned in this Act, and not declared where they

ſhall

ſhall be recovered and how diſpoſed of, be one Moyety to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and contingent Charges thereof, the other Moyety to the Informer or him that ſhall ſue for the ſame, in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager at Law, ſhall be allowed, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

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## An ACT

### *For keeping open old Paths to Publick Wattering-Places.*

FOraſmuch as it hath not been hitherto provided by any of the Acts of this Country, to give full and ſufficient power to the Juſtices of the Peace to grant Warrants to lay out, upon occaſion, broad Paths to common and known Watering-Places, whereby the Inhabitants of this Iſland may in time be much prejudiced, be it therefore enacted and ordained by the

the Governour, Council, and Aſſembly, and it is hereby enacted by the Authority of the ſame, That upon notice given to any Juſtice of the Peace, he ſhall on requeſt Iſſue his Warrant to the next Conſtable in the ſaid Pariſh, to ſummon a Jury to meet at ſome convenient Place and Day therein to be mentioned, to view and lay out ſuch Path or Roads as have been uſed to any Publick, Common, or known Spring, River, or Watering-place, for Seven Years laſt paſt; which ſaid Juſtice is hereby impowered to adminiſter an Oath to the ſaid Jury, That according to the beſt of their Skills and Judgments they will lay out ſuch Way as aforeſaid; which having done, the Surveyor of the High-Ways is to make return thereof to the Juſtices of the next Quarter-Seſſions of the Precincts, and if approved by the ſaid Juſtices, ſhall be there Filed or Recorded, and after known for a publick High-Way; and where new Fences on both ſides of the Path ſhall be needful, the ſame to be made and maintain'd at the Charge of the Precincts.

An

## An ACT

*Appropriating certain Lands upon* Port-Royal *to the Publick Uſe.*

WHereas ſome private Perſons have Patented parcels of Land upon *Port-Royal*, and built Houſes very near unto the Walls of *Chriſt-Church* and *Fort Rupert*, which not only encumber both, but may happen to endanger their loſs or ruin, be it enacted and ordained by the Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever having Land on the South ſide of *Port Royal*, between *Chriſt-Church* and the Sea, or at the Eaſtermoſt end of *Port-Royal*, within Two Hundred Foot of the Wall that runs near North and South eroſs *Port-Royal*, commonly known by the Name of the *Breaſt-Work*, ſhall ever hereafter preſume to build any Houſe or other Fabrick thereon, and if any Houſes are already Erected within the Limits aforeſaid, they ſhall be pull'd down, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

And that all Perſons having Land or Houſes within the Limits aforeſaid, may receive juſt and due ſatisfaction for the ſame, it is enacted and ordained by the Authority aforeſaid, That Capt. *Peter Beckford*, Capt. *Reginold Wilſon*, Capt. *Thomas Clerk*, and any other Perſon choſe by the Proprietor, are hereby appointed and impowered to view the ſaid Lands and Houſes as aforeſaid, and to appraiſe them according to their juſt and true value; and whatſoever the ſaid Appraiſers or any two of them, being firſt ſworn by any one of his Majeſty's Juſtices of the Peace, who is hereby impowered to adminiſter the ſame, to appraiſe the ſaid Lands or Houſes according to the beſt of their Judgments, ſhall judge to be the value of the ſaid Land and Houſes, ſhall be deemed and taken for the full worth of the ſaid Lands and Houſes, and paid to the Proprietors out of his Majeſty's Treaſury of this Iſland, which payment, or (in caſe of the refuſal of the Proprietors) tender of payment ſhall for ever be a Good Bar againſt any Title to any Land or Houſes within the Limits aforeſaid, any Patent, Deed, Law, Cuſtom, or Uſage to the contrary notwithſtanding.

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# An ACT

## *For Puniſhing of Idle Perſons and Vagabonds, and for Relief of the Poor:*

WHereas divers Idle Perſons and Vagabonds, though of able Bodies, uſe loitering, and refuſe to work for reaſonable Wages, in the ſeveral parts where ſuch Perſons happen to dwell and abide, not having living otherwiſe to maintain themſelves, whereby the Charge of ſeveral Pariſhes may be much encreaſt; for prevention whereof, be it therefore enacted by the Governour, Council, and Aſſembly, and be it hereby enacted by the Authority of the ſame, That from and after the firſt Day of *January*, in the Year of our Lord God one Thouſand ſix Hundred Eighty Three, the Juſtices and Veſtry of each Pariſh within this Iſland, or the Major part of them, if to them it ſhall ſeem convenient and neceſſary, are hereby fully impowered to lay a reaſonable Tax, for the building one or more Houſes of Correction within their ſeveral Pariſhes, and for the providing Stocks of Money

and all other things neceſſary for the ſame, and for governing the ſame, and for Correction and Puniſhment of Offenders thither Committed, ſuch Orders as the ſaid Juſtices and Veſtry, or the Major Part of them, ſhall from time to time make, reform or ſet down in that behalf, ſhall be of force, and be duly perform'd and put in execution, any Law, Cuſtom, or Uſage, to the contrary in any wiſe notwithſtanding.

And be it further enacted by the Authority aforeſaid, That all Rogues, Vagabonds and other Idle Perſons that ſhall be found wandring from place to place, or otherwiſe miſordering themſelves, ſhall be apprehended by the Conſtables or Tything-Men of each reſpective Pariſh within this Iſland, and to carry him or her ſo apprehended before ſome one Juſtice of the Peace of that Precinct; and if upon examination it appear, that the apprehended be Perſons fit and able to Work, and do refuſe ſo to do, but wander about as aforeſaid, that then the ſaid Juſtices ſhall order him or her to be whipped on the naked Back, not exceeding Thirty Nine Laſhes in the whole, by the ſaid Conſtable or Tything-Man, and ſhall be forthwith ſent from Pariſh to Pa-

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riſh by the Conſtables or Tything-Men of the ſame, the next ſtraight Way to the Pariſh where he or ſhe dwelt for one whole Year then laſt paſt. And for ſuch other poor impotent Perſons wandring from place to place as aforeſaid, they ſhall be ſent from Pariſh to Pariſh by the Conſtables or Tything-Men of the ſame, to the place of their laſt abode.

Provided always, and it is hereby further enacted, That no ſuch Perſon or Perſons as above-mentioned, ſhall be returned as aforeſaid, if he, ſhe, or they have continued to dwell in the ſaid Pariſh above the ſpace of Three Months; and whatſoever Conſtable or Tything-Man that ſhall neglect his or their Duty herein ſhall forfeit the Sum of Forty Shillings for every Default, one half of which Forfeiture to be to the Church-Wardens, for the Poor of the ſaid Pariſh, and the other half to the Informer, to be recovered before any Juſtice of the Peace, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Church-Wardens of each Pariſh within this Iſland, with the aſſent of any two Juſtices of the Peace in that Pre-

cinct, to bind any poor Children belonging to the ſaid Pariſh to be Apprentices where they ſhall ſee convenient, until ſuch a Man-Child ſhall come to the Age of one and Twenty Years, and ſuch a Woman-Child to the Age of Eighteen Years, or the time of her Marriage, to be as effectual to all Intents and Purpoſes as if ſuch Child were of full Age, and by Indenture of Covenant bound him or her ſelf, any Law, Cuſtom, or Uſage, to the contrary in any wiſe notwithſtanding.

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## An ACT

*For Vacating ſeveral irregular Grants ſurreptitiouſly obtained for Royal Mines, Shoal-Water, Anchorage and Fiſhery.*

WHereas there have been ſeveral irregular Patents and Grants ſurreptitiouſly obtained, contrary to former Uſage, Law and Publick Good of his Majeſty's Iſland, for Fiſhery and Shoal-Water, in and about the Harbour of *Port-Royal*, and other Harbours, and the Water before

fore ſeveral Perſons Land, and alſo Royal Mines, and alſo the Parade in the Town of St. *Jago de la Vega*, and the Fiſhery in and between *Rio Cobre*, and the Salt River in St. *Andrews* Pariſh; it is therefore enacted and ordained by the Governour, Council, and Aſſembly, and be it enacted by the Authority of the ſame, That all and every ſuch Grants and Patents are and be hereby declared null and void, to all Intents and Purpoſes whatſoever, the ſaid Letters Patents, or any thing in them or any of them contained, or other Law, Cuſtom, or Uſage, to the contrary thereof in any wiſe notwithſtanding.

And that no ſuch Grants, or Patents as is now or ſhall be hereafter granted, that ſhall be prejudical to Anchorage, Navigation, or Common Fiſhery, ſhall be good; provided always nevertheleſs, that all Owners of any Land, adjoyning upon any Harbour, Bay, or Creek, ſhall have Liberty to take up the Shoal-Water to make Wharfs, or Bridges convenient, before their own Land and none elſe, and that all Patents already Granted for Shoal-Water or building of Wharfs, or Bridges, before any Man's own Land ſhall be deemed good.

And whereas there have been ſeveral Patents, for the *Parade* place upon *Port-Royal*, and for Eleven Hundred Acres of Land without the Breaſt-Work, or of part thereof, Granted to ſeveral Perſons ſince Grant thereof was made to ſeveral Perſons and their Heirs or Succeſſors to the uſe of the Pariſh of *Port-Royal*, under pretence that the ſaid Grants to them, to the ſaid uſes, are void in Law; be it enacted and ordained by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid ſeveral Grants or any other Grants or Patents firſt made to the uſe of the Pariſh, ſhall be deemed good and valid to the paſſing of the Premiſes therein contained, and that all other Patents Granted to any Perſon or Perſons whatſoever of any part of the ſaid *Parade* place, or of the ſaid Eleven Hundred Acres of Land, or any thing elſe ſince the dates of the ſaid Grants, or any of them to the uſe aforeſaid, be and are hereby adjudged null and void to all Intents and Purpoſes whatſoever, any thing in the ſaid Letters Patents or any of them, or any other Law, Cuſtom, or Uſage, to the contrary thereof in any wiſe notwithſtanding.

An

# An ACT

## *For eſtabliſhing a perpetual Anniverſary Faſt on the Seventh of* June.

FOraſmuch as it hath pleaſed Almighty GOD, the Great Creator and Judge of Heaven and Earth, on the Seventh Day of *June*, One Thouſand Six Hundred Ninety Two, juſtly to puniſh the Inhabitants of this Iſland, for their manifold Sins and Wickedneſſes committed againſt his Divine Majeſty, by a moſt terrible and dreadful Earthquake, which not only laid waſte our Eſtates and Places of Habitation in general, but alſo deſtroy'd many Hundreds of People; which tremendous Judgment was ſucceeded by a raging Sickneſs and Mortality, that few or no Families eſcaped. Now, that ſo ſignal a Viſitation may be had in perpetual Remembrance, and we and our Poſterity may, by humbling ourſelves, endeavour to appeaſe God's imminent Wrath, and prevent heavier Judgments: We your Majeſty's moſt Dutiful and Loyal Subjects, your Majeſty's Lieutenant-Governour, Council, and Aſſembly of

of this your Iſland of *Jamaica*, do moſt humbly beſeech your moſt Sacred Majeſties, That it may be enacted by their Majeſties Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That every Seventh Day of *June*, (unleſs it falls out to be on the Lord's Day, and then the Day following) ſhall be for ever hereafter ſet apart, to be kept and obſerv'd by All the Inhabitants of this Iſland, as an Anniverſary Day of Faſting and Humiliation; and that all and every the Inhabitants aforeſaid, ſhall upon the ſaid Day Annually reſort to ſome uſual Place where Prayers and Preaching are uſed to be Miniſtred, and there orderly and devoutly abide during the Celebration of Divine Service, by Prayers, Preaching, Singing of Pſalms, *&c.*

And to the End that all Perſons may be put in Mind of their Duty therein, and be the better prepar'd to diſcharge the ſame with that Piety and Devotion as becomes them; be it farther enacted, That every Miniſter ſhall give Notice to his Pariſhioners, in the Church, or other publick Place of Divine Worſhip, at Morning Prayer, the *Sunday* next before eve-

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ry ſuch Seventh Day of *June*, for the Obſervation of the ſaid Day, and that he provide a Sermon ſuitable to that Occaſion; and that in ſuch Pariſhes where there is no Miniſter, this Act ſhall be publiſh'd Annually in the Seſſions next before the Seventh of *June*, as aforeſaid.

And be it farther enacted and ordained by the Authority aforeſaid, That no Perſon or Perſons whatſoever, neither by themſelves, Servants or Slaves, ſhall do, or cauſe to be done, any manner of Work in his or their Trade, Calling or Plantation: And that no Shop, Tavern, Coffee or Punch-Houſe be kept open on the ſaid Day, on Penalty of Forfeiting Forty Shillings for every Perſon, by himſelf, Servant or Slave ſo Offending, as aforeſaid, to be recovered before any of their Majeſties Juſtices of the Peace, who are hereby required and empower'd to Award the ſame; One Half of which Forfeiture ſhall be to the Church-Wardens for the Uſe of the Pariſh, and the Other Half to the Informer, or him that ſhall ſue for the ſame.

*W. Bridgeman.*

An

## An ACT

*To Encourage Sea-faring Men, and other their* MAJESTIES *Subjects.*

WHereas great Numbers of Perſons, as well Sea-faring Men as others, by the ill Uſage and Diſcouragement they have formerly met with, have been driven from this Iſland, and for common Subſiſtence many of them have fallen under the Neceſſity of taking unlawful Courſes, and been forc'd ever ſince the preſent War with *France*, to ſeek for Shelter in the Ports and Settlements belonging to the *French* King in the *Weſt-Indies*, and elſewhere, and afterwards compelled to enter into his Service.

And whereas divers other Perſons being diſabled by their Loſs in the late dreadful Earthquake, and other Misfortunes, to pay their Debts, to avoid the Suits and Proſecutions of their Creditors, have been likewiſe obliged to go off this Iſland, and by Reaſon of the Offences and Debts aforeſaid, cannot ſafely return again. And foraſmuch as nothing can more

more conduce to the Strength, Security, and flouriſhing Condition of this Country, than Multitudes of People; and that it is become abſolutely neceſſary in Order thereunto, for putting the Iſland in this Time of War into a Poſture of Defence againſt the Enemy, to Invite and Encourage as much as poſſible, their Majeſties Subjects to come to this Iſland, by Delivering them from the Penalties and Forfeitures they have already incurr'd, and by preventing all Vexation and Trouble they may be put to hereafter, by any Proſecution in their Majeſties Name for the ſaid Offences, or by Means of the Suit or Suits of any other Perſons to whom they ſtand indebted:

The Lieutenant-Governour, Council, and Aſſembly, moſt humbly beſeech their Majeſties to be graciouſly pleaſed to extend to all Perſons ſo Offending, as aforeſaid, their Majeſties Free and General Pardon, and for the Eaſe and Quiet of them and the reſt, to give convenient Time to pay their Debts.

And that therefore it may be enacted by the Lieutenant-Governour, Council and Aſſembly, and be it enacted by the Authority of the ſame in Manner and Form following, that is to ſay, That all

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and every Perſon and Perſons whoſoever, ſhall be and are hereby acquitted, pardoned, releaſed, and diſcharged againſt their Majeſties, their Heirs and Succeſſors, and all others whomſoever, of and from all manner of Penalties incurr'd by Serving under the *French* King or his Subjects as aforeſaid; and all Crimes and Offences, Acts of Hoſtility, or Violence whatſoever, (Treaſon and Murder excepted) and of and from all manner of Depredations by Sea or by Land, and all other Crimes, Offences and Miſdemeanors whatſoever, already done and committed before the Firſt Day of this Seſſion, in the Year of our Lord One Thouſand Six Hundred Ninety Three, and not otherwiſe or afterwards; and of and from all manner of Forfeitures, Penalties, Pains Corporal, and Pains Pecuniary, and all Suits, Judgments and Executions, for or by Reaſon of the ſame, or any of them.

And be it farther enacted by the Authority aforeſaid, That all and every Perſon or Perſons that have committed Piracy or Robbery by Sea, and not Murder or Treaſon, that ſhall come hither, and Surrender and Submit themſelves within Ten Days after their Arrival in this

this Iſland, unto the Commander in Chief for the Time being, and give in moderate Security for their future good Behaviour, that then, and in ſuch Caſe, the ſaid Commander in Chief ſhall be by Virtue of this Act oblig'd to extend to ſuch Perſon or Perſons ſo Submitting and Surrendering as aforeſaid, their Majeſties gracious Pardon under the Great Seal of this Iſland, for the Crime or Crimes afore-mentioned, without Let, Hindrance, or Moleſtation from their Majeſties Attorney-General, or any other Perſon or Perſons whatſoever; for which Pardon, the Parties to whom their Majeſties Mercy is ſo extended, ſhall pay the Sum of Forty Shillings, and no more, to be paid as a full Fee unto ſuch Officer or Officers as the Commander in Chief ſhall Direct and Appoint to receive the ſame.

And be it farther enacted, That the Attorney-General, or any other Officer or Officers whatſoever, that ſhall preſume by any Way or Means, directly or indirectly, to exact any Sum or Sums of Money of any Perſon or Perſons whatſoever, to whom ſuch Act of Mercy is extended, or intended to be extended, ſhall Forfeit the Sum of One Hundred Pound,

Pound, Currant Money, One Half to their Majeſties, for, and towards the Support of the Government of this Iſland, and the Contingent Charges thereof; and the Other Half to the Party injured, to be recover'd by Action of Debt, Bill, Plaint, or Information, in any Court of Record within this Iſland, where no Eſſoign, Protection, Injunction, Wager of Law, or *Non vult ulterius proſequi*, ſhall be allowed; any Law, Cuſtom or Uſage, or any Thing in this Act ſeeming to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That this their Majeſties Free-Pardon as aforeſaid, ſhall be as good and effectual in the Law to every of the ſaid Perſons before-mention'd, as the ſame Pardon ſhould have been, if all and every the Perſons, and all and ſingular the Offences aforeſaid, had been particularly, ſingularly, eſpecially, and plainly named, rehearſed, and ſpecified, and alſo pardoned by proper and expreſs Words and Names; and be as fully, largely, amply and benificially underſtood, interpreted and expounded to all Intents and Purpoſes, againſt their Majeſties, their Heirs and Succeſſors, and all

all others, to and for the Benefit, Advantage, and Favour of the Perſons before intended to be pardoned, as the ſame can or may be underſtood, interpreted and expounded; any Statutes, Acts, Laws, Cuſtoms or Uſages heretofore had, made or uſed to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Lieutenant-Governour, Council and Aſſembly, and by the Authority of the ſame, That all and every Perſon or Perſons whomſoever, that ſhall come and Reſide here, and claim the Benefit of this Act, and be employed in the Service of the Country in Privateering Trade, or otherwiſe, ſhall by Virtue hereof be protected, excepted, and excuſed from the Payment of their ſaid Debts, contracted before their coming hither, or their going off from hence, for the Space of Five Years, to be computed from the Firſt Day of this preſent Seſſion; and during the ſaid Time, that all real, perſonal, or mix'd Actions, and all Arreſts, Proceſs, Suits, Informations, Judgments, Executions, and all other Proſecutions whatſoever, to be had, commenced, ſued or proſecuted for, or by Reaſon of their ſaid Debts, or any Sum or Sums of Money by them as

aforeſaid, due or owing to any Perſon or Perſons whomſoever, be and are hereby ſuſpended, reſpited and diſcharged, and made Void, for and during the ſaid Term of Five Years and no longer.

Provided always, and 'tis the true Intent and Meaning of this preſent Act, That no Perſon or Perſons claiming the Benefit of the ſame, ſhall plead the Statute of Limitation in their Favour or Behalf, as if the ſaid Intermiſſion had not been after the Expiration of the ſaid Five Years, but that the ſame ſhall be accounted as if this Law had not been made, any Thing in this Act ſeeming to the contrary notwithſtanding.

And if any Action or Suit hereby ſuſpended, reſpited and diſcharged, ſhall be commenced or proſecuted, every Perſon ſo ſued may plead the general Iſſue, and give this Act and the Special Matter in Evidence; and if the Plaintiff ſhall become Nonſuit, or forbear farther Proſecution, or ſuffer Diſcontinuance, or if a Verdict ſhall paſs againſt him, the ſaid Plaintiff ſhall for ever abſolutely Forfeit and Loſe his Original Debt ſo ſued for, and beſides pay to the Defendant his double Coſts and Charges out of Purſe; to be Aſſeſſed by the Jury, or the

the Judges of the Court, where ſuch Action or Suit ſhall be commenced, and levied by Rule of Court, of the ſaid Plaintiff's Goods and Chattels, or the ſaid Plaintiff to ſtand committed till Payment thereof, at the Diſcretion of the ſaid Court.

Provided always, nevertheleſs, That no Perſon ſhall take or have any Benefit or Advantage by this Act, or any Thing therein contained, who ſhall not within Twenty Days after his Arrival, cauſe his Name to be enter'd into the Office of Inrolments for this Iſland, in a Book to be kept there for that particular Purpoſe, and claim, and demand the Benefit of the ſame; which ſaid Claim and Demand, and Entry of his Name as aforeſaid, ſhall be to all Intents and Purpoſes as effectual and available in the Law, as if the ſaid Perſon had been herein particularly named and expreſſed; and an atteſted Copy of the ſaid Entry and Claim as aforeſaid, ſhall be pleaded in any Court, and of as much Authority, Force and Validity in the Law, as this preſent Act, or ſpecial Pardon under the Broad Seal as aforeſaid, any Statutes, Acts, Laws, Uſages or Cuſtoms to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That the Secretary, or Clerk of the Enrolments for the Time being, ſhall not refuſe to make Entry of ſuch Claim and Demand as aforeſaid, and give an atteſted Copy thereof, or take more than Fifteen Pence for ſuch Entry and the Copy thereof, under the Penalty of Ten Pounds for every ſuch Offence, to be paid to him, who by Bill, Plaint, Information, or Action of Debt, ſhall ſue for the ſame.

And be it farther enacted by the Authority aforeſaid, That whereas by an Act of this Country, entitled, *An Act for Reſtraining and Puniſhing Privateers and Pirates*; in which Act, among other Things, there is contained One Clauſe, Branch and Article, whereby it was thus enacted: Be it farther enacted by the Authority aforeſaid, That all and every Perſon and Perſons that ſhall any way knowingly Entertain, Harbour, Conceal, Trade, or Hold any Correſpondence by Letter, or otherwiſe, with any Perſon or Perſons that ſhall be deemed, or adjudged to be Privateers, Pyrates, or other Offenders within the Conſtruction of this Act, and that ſhall not readily endeavour to the beſt of his or their Power, to apprehend,

prehend, or cauſe to be apprehended, ſuch Offender or Offenders, ſhall be liable to be proſecuted as Acceſſaries and Confederates, and to ſuffer ſuch Pains and Penalties as in ſuch Caſe by Law is provided.

Which ſaid Clauſe, Branch, or Article contained in the ſaid Act, and every Word, Matter, and Thing contained in that Clauſe, Branch, or Article, ſhall from henceforth be repealed, annulled, revoked, annihilated, and utterly made void for ever, any Thing in the ſaid Act to the contrary in any wiſe notwithſtanding.

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## An ACT

### *For making* Kingſton *a Pariſh.*

WHereas it hath pleaſed Almighty God by his late dreadful Judgment, to lay waſte and deſtroy the Habitations and Dwelling-Places of many of the People, late of *Port-Royal*, whereby they were neceſſitated to Reſort to ſome more convenient Place, wherein to Unite and Settle for the Advantage of Trade, and better Conveniency of Living, and

did by the Encouragement of the then Government, Repair to and Settle upon a certain Place now called and known by the Name of *K...gſton*, in the Pariſh of St. *Andrews*, on the Harbour of *Fort-Royal* aforeſaid, and have with great Trouble and Charge made a conſiderable Progreſs in Building and Settling there, and being willing and deſirous there to continue by Reaſon of the convenient Situation of the Place, and Commodiouſneſs of the Channel and Habour.

Be it therefore enacted and ordained by their Majeſties Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the aforeſaid Place, commonly called and known by the Name of *Kingſton*, lying in the Pariſh of St. *Andrews*, on the Harbour of *Port Royal*, bounded Southerly by the Harbour, Weſterly and Northerly by the Line of the Land of Sir *William Beeſton*, Knt. and to continue from a *Calabaſh* his North-Eaſterly Corner Tree, by a ſtrait Line to the Foot of the long Mountain, Eighty Chain Diſtance from the Sea, and from thence towards three Rivers of the ſame Diſtance from the Sea, until it meets with the Bounds of the Pariſh of *Port-Royal*, and alſo all that Part of the Harbour which lies to the

the North-Eaſterly and Eaſterly Part of the middle Ground, ſhall be and for ever hereafter be taken and eſteemed to all Intents and Purpoſes an intire and diſtinct Pariſh, ſeparate from the ſaid Pariſh of St. *Andrews*, and be called and known by the Name of the Town and Pariſh of *Kingſton*, and have, Uſe, Exerciſe, and Enjoy all and every the Powers, Authorities, Benefits, Privileges, Rights, Immunities and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland, have, or ought to have, Uſe, Exerciſe, or Enjoy of common Right, or by Virtue of any General Act or Acts of this Country, as fully, amply and effectually, as if the ſame had then been a diſtinct and ſeparate Pariſh or Precinct, and therein by Name expreſly mentioned and ſpecified: And particularly, that there ſhall be Choſen Three Repreſentatives to Serve in every Aſſembly hereafter, or after the firſt Prorogation of this preſent Aſſembly for the ſaid Town and Pariſh of *Kingſton*, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And be it farther enacted and ordained by the Authority aforeſaid, That for the Eaſe of the Merchants and Tra-

ding People of the ſaid Town of *Kingſton*, that there be erected, eſtabliſhed and held in the ſaid Town, a Quarter-Seſſions for the Conſervation of the Peace, and a Court of *Common-Pleas*, with the ſame Power and Authority, that is or hath been lately held or exerciſed at *Port-Royal*; which ſaid Court ſhall be held the firſt Time on the ſecond *Thurſday* in *October*, in this preſent Year One Thouſand Six Hundred Ninety Three, and afterwards Once every Two Months, and the Seſſions every Three Months, any Thing in this Act to the contrary notwithſtanding.

And be it farther enacted and ordained by the Authority aforeſaid, That the Receiver-General, Secretary of this Iſland, and Naval Officer for the Time being, do by Themſelves or Deputies within One Month after the Paſſing this Act, keep or cauſe to be kept in the Town of *Kingſton* aforeſaid, their ſeveral and reſpective Offices, as they now do, or heretofore have or ought to have done on *Port-Royal*, on Penalty of Fifty Pounds each for every Month they or any of them ſhall Neglect or Refuſe to do the ſame, to be recover'd againſt them, or any of them, by Bill, Plaint, Information,

mation, or otherwiſe, in the Supreme Court of this Iſland; the one Half to their Majeſties, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Informer, or him that ſhall ſue for the ſame, wherein no Eſſoign, Injunction, Protection, Wager of Law, or *Nonvult ulterius proſequi* ſhall be allowed.

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## An ACT

### *For the better Securing of* Port-Royal.

WHereas the Town of *Port-Royal* is a Town of a very conſiderable Trade, and of great Strength to Reſiſt the Enemy in Time of War, by Reaſon of their Majeſties Fortifications, and a great Number of Houſes thro' the Mercy of God left ſtanding thereon.

And whereas by the late dreadful Earthquake the Land on the Back-Sea Side is ſettled lower than it was, by Reaſon whereof the Sea hath more Power to gain upon it, and if not timely prevented by Wharfing to reſiſt the Violence

lence thereof, may endanger the Houſes that are ſtanding on that Sea-Side; for Prevention whereof,

Be it enacted and ordained by their Majeſties Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful, from and after the Twenty Fifth Day of *July*, in the Year of our Lord One Thouſand Six Hundred Ninety Three, for the Juſtices and Veſtry of the Pariſh of *Port-Royal*, or the Major Part of them, to Aſſeſs, Tax, and Levy ſuch Sum or Sums of Money, upon all and every the Freeholders of the ſaid Pariſh of *Port-Royal*, as to them ſhall ſeem Meet and Convenient, for and towards the Wharfing, or otherwiſe Securing the Town of *Port-Royal* towards the Great Sea-Side abovementioned.

And whereas after the Wharfs are made they may from Time to Time want Repairing, be it therefore farther enacted by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of *Port-Royal* aforeſaid, or the Major Part of them, to Aſſeſs, Tax, and Levy

Levy Yearly, and every Year, ſuch Sum or Sums of Money upon the Freeholders of the ſaid Pariſh of *Port-Royal*, at ſuch times as to them ſhall ſeem requiſite or neceſſary, for Repairing and Maintaining the ſaid Wharfs; and that the Conſtable or Conſtables of the ſaid Pariſh of *Port-Royal* ſhall gather in the aboveſaid Monies ſo to be Levyed, Aſſeſſed and Taxed, as before mentioned and appointed by this preſent Act, and pay the ſame into the Hands of the Church-Wardens of the ſaid Pariſh of *Port-Royal* for the time being, Deducting to him or themſelves Four Pence in the Pound for Collecting the ſame. And in Caſe any Conſtable or Conſtables ſhall neglect his or their Duty in Collecting, Gathering, or Paying in the Money ſo collected by virtue of this Act, he or they ſo neglecting his or their Duty therein, ſhall forfeit for every ſuch Offence the Sum of Twenty Pounds.

And in Caſe any Perſon or Perſons ſhall refuſe or delay to pay his or their Tax ſo to be Aſſeſſed, Taxed, and Levyed, as in this preſent Act is preſcribed, be it further enacted and ordained by the Authority aforeſaid, that it ſhall and may be lawful to and for any two of their Majeſties,

jeſties Juſtices of the Peace of the Pariſh of *Port-Royal* aforeſaid, to Iſſue out their Warrant of Diſtreſs, directed to any Conſtable of the ſaid Pariſh, to Levy the ſame upon the Goods or Chattels of him, her, or them, ſo refuſing or delaying to pay the ſame, and Sell the ſame at Publick Outcry, returning the overplus, if any be, to the Owner.

And to the Intent that the Money which ſhall be Collected and Raiſed by virtue of this Act, may be applyed to the uſe and purpoſe by this Act mentioned and directed, be it further enacted and ordained by the Authority aforeſaid, That the Church-Warden or Church-Wardens of the ſaid Pariſh of *Port-Royal* for the time being, ſhall and are hereby required from time to time to pay the Money ariſing by virtue of this Act to ſuch Perſon or Perſons, and to ſuch Uſes as the Juſtices and Veſtry, or the Major part of them, ſhall direct and appoint; and the Church-Wardens of the ſaid Pariſh for the time being ſhall keep a diſtinct Accompt of the Money by them and each of them received by virtue of this Act, and likewiſe render a true and juſt Accompt thereof to the Juſtices, and Veſtry of the ſaid Pariſh of *Port-Royal*, when thereunto required, and alſo pay the full Balance

of

of the ſame unto the ſucceeding Church-Wardens, or to whomſoever the ſaid Juſtices and Veſtry or the Major part of them ſhall direct and appoint, under the Penalty of Fifty Pounds for every Offence committed contrary to their Duty in this Act enjoyned.

And whereas ſeveral of the Freeholders of *Port-Royal* may be, or are not Reſident or Inhabitants on the ſaid place, for the better Recovery of the ſaid Tax to be Aſſeſſed as aforeſaid, be it further enacted and ordained by the Authority aforeſaid, That in ſuch Caſes, from and after the Twenty Fifth Day of *July*, One Thouſand Six Hundred Ninety Three, an Action of Debt ſhall lye in any Court of Record, or before any Juſtice of the Peace, as in other Debts, for the Church-Wardens of the reſpective Pariſh of *Port-Royal*, and their Succeſſors, to Recover againſt any of the ſaid Perſons Rated or Aſſeſſed by virtue of this Act, or any of them, or their Heirs, Executors, Adminiſtrators, Aſſigns, Agents or Attorneys here, all ſuch Sum and Sums of Money as are or ſhall be Rated or Aſſeſſed upon them as aforeſaid. And that the ſame Rate or Aſſeſſment produced in ſuch Court of Record, or before ſuch Juſtice of the Peace

as

as aforeſaid, ſhall be ſufficient Evidence and Proof for the Recovery of all ſuch Sum or Sums of Money ſo Rated or Aſſeſſed as aforeſaid.

And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons being Seized, Poſſeſſed, or Intereſt of or in any Ground which was formerly built upon, and the Houſes thereupon being now deſtroyed or pulled down at the times or by the means of the late Dreadful Earthquake, ſhall not within Three Years next Enſuing Build the ſame, that then the Judges of the Court of *Common Pleas* of the ſaid Pariſh, for the time being or any one of them ſhall forthwith cauſe publick Proclamation to be made, as well at or upon the ſaid Ground, as alſo in the Court-Houſe of the ſaid Pariſh, thereby to give notice to all Perſons that ſhall or may be therein concerned, to cauſe the ſame to be rebuilt within the ſpace of Nine Months the next following; and in Caſe the Owners thereof, or other Perſon or Perſons having Intereſt therein, ſhall refuſe or neglect to rebuild the ſame within ſuch time as aforeſaid, that then and in ſuch Caſe the ſaid Judges of the ſaid Court, or any one of them, are hereby Authorized to Iſſue out their Warrants to the

the Provoſt-Marſhall for the time being requiring him to Impannel and return before them, or any one of them, a Jury of good and lawful Men of the ſaid Pariſh, which the ſaid Provoſt-Marſhal is hereby Authorized and required to do accordingly; which Jury ſo returned ſhall upon their Oaths, to be adminiſtred to them by the ſaid Judges, or one of them, who are likewiſe hereby Authorized to adminiſter the ſame, Enquire, Eſtimate, and Aſſeſs the true and juſt value of ſuch void Ground, according to their Judgments; and that from and after ſuch Enquiry and Valuation thereof made as aforeſaid, by Inqueſt of the ſaid Jury, it ſhall and may be lawful to and for the ſaid Judge or Judges to make Sale of the Fee and Inheritance thereof, by Conveyance under his or their Hands and Seals, to any Perſon or Perſons that will Purchaſe the ſame at ſuch Price at which the ſame ſhall have been ſo as aforeſaid Eſtimated and Valued by the ſaid Jury; and the Monies thereupon to be received of the Purchaſers thereof ſhall forthwith be paid into the Hands of the Church-Wardens of the ſaid Pariſh for the time being, and from thence to be iſſued out and paid by the ſaid Church-Wardens for the time being

being unto ſuch Perſon or Perſons, who ſhall have any Eſtate or Intereſt in, to, or out of the ſame, according to his or their reſpective Eſtate or Eſtates, Title or Intereſt; which Sale ſo made and Enrolled in the Office of Enrolments of this Iſland, ſhall be Final and Concluſive to all other Perſons whatſoever, and ſhall Bar them, their Heirs and Aſſigns, to Claim any Eſtate, Right, Title, or Intereſt of, in, or out of the Grounds ſo Sold, precedent to the ſaid Sale; and the Purchaſer or Purchaſers thereof, his and their Heirs and Aſſigns, ſhall and may by virtue of this Act, have, hold, and enjoy the ſame againſt all Perſons Claiming any Eſtate, Right, Title, or Intereſt in, to or out of the ſame, his, her and their Heirs, Executors, Adminiſtrators, and Aſſigns, freed and diſcharged of and from Incumbrances in Eſtate, Title, Charge, or otherwiſe, precedent to the ſaid Sale, their Majeſties Quit-Rents only excepted.

And be it further enacted and ordained by the Authority aforeſaid, and it is hereby enacted and ordained by the Authority of the ſame, That the Receiver-General, and Naval Officer of this Iſland, ſhall by themſelves, or lawful Deputy, keep

keep their Offices on *Port-Royal*, as at any time heretofore they have, or ought to have done; and that the Secretary of this Iſland, ſhall from time to time by his lawful Deputy keep his Office at *Port-Royal*, as at any time heretofore has, now doth, or ought to have done, under the Penalty of Fifty Pounds for every Month the Receiver-General, Naval Officer, or Secretary of this Iſland, or any of them, ſhall Neglect or Refuſe to do the ſame.

And be it farther enacted and ordained by the Authority aforeſaid, That all and every the Fines and Forfeitures in this Act mention'd and contain'd, ſhall be One Half to their Majeſties, their Heirs and Succeſſors, for and towards the Support of the Government of this Iſland, and the contingent Charges thereof, and the other Half to the Pariſh of *Port-Royal*, for and towards the Wharfing, Repairing, and Maintaining the Wharfs ſo to be made, repaired and maintained, as in this Act mention'd, and to and for no other Uſe, Intent, or Purpoſe whatſoever; to be recover'd in any Court of Record within this Iſland, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoign, Injunction, Protection, Wager of Law, or *Nonvult*

*ulterius proſequi*, ſhall be allowed, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

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## An ACT

*For Making and Clearing a publick Road from St.* Mary's *and St.* George's *into the Pariſh of St.* Andrew's.

WHereas by Reaſon of the Uncertainty of the Bounds of the Pariſhes of St. *Mary*'s, St. *George*'s, and St. *Andrews*, the Paths leading from St. *Mary*'s and St. *George*'s have not yet been laid out and cleared, to the great Hindrance and Damage of the Inhabitants thereof; and it being requiſite, as well for their Majeſties Service in Tranſporting ſpeedy Succours to each Place, as for the neceſſary Uſe of their Majeſties liege People, that a publick Road be laid out from the ſaid Pariſhes of St. *Mary*'s and St. *George*'s, into the Pariſh of St. *Andrew*'s.

Be it therefore enacted and ordained by the Lieutenant-Governour, Council and

and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the Path or Road, as it is now uſed, from the *Orange* River Plantation, in the Pariſh of St. *Mary*'s over *Little Tom*'s River, and from thence over *Viney* Ridge, leaving the Plantation belonging to Colonel *Thomas Clarke* to the Eaſtward, unto the Plantation late of *Andrew Holloway*, deceaſed, at *Wagnater*, and ſo into the Pariſh of St. *Andrew*'s, be a publick Road, or King's High-Way, between the ſaid two Pariſhes of St. *Mary*'s and St. *Andrew*'s; and that the Path or Road from *Annotta* River Bay in the Pariſh of St. *George*'s, leading towards St. *Andrew*'s aforeſaid, ſhall by its neareſt and moſt convenient courſe fall into the Path coming from the ſaid *Orange* River in St. *Mary*'s, upon a Ridge or Mountain, commonly called or known by the Name of *Mammee* Ridge, and from thence forward along the ſaid Path to *Little Tom*'s River, *&c.* And that the ſame be a publick Road, or King's High-Way, between the ſaid two Pariſhes of St. *George*'s and St. *Andrew*'s as aforeſaid.

And be it further enacted and ordained by the Authority aforeſaid, That the Surveyors of the High-Ways for the Pa-

riſh of St. *Mary*'s, do yearly, and as often as need ſhall require, clear and amend the ſaid Road, or High-Way, from the *Orange* River aforeſaid, over the ſaid *Mammee* Ridge, unto the Ford at the Foot of the ſaid Hill at *Little Tom*'s River aforeſaid; and that the Pariſh of St. *George*'s alſo clear their Road or High-Way from *Annotta* Bay as aforeſaid, unto the ſaid Place, as it ſhall fall into the Path on *Mammee* Ridge as aforeſaid, coming from the ſaid *Orange* River Plantation; and that the Pariſh of St. *Andrew*'s clear the ſaid Ford and Road, or King's High-Way, leading from thence over *Viney* Ridge aforeſaid, leaving the Plantation of the ſaid Col. *Thomas Clarke* to the Eaſtward as aforeſaid, unto the Plantation of the ſaid *Andrew Holloway* at *Wagwater*, and ſo forward into the Pariſh of St. *Andrew*'s.

And it is hereby further enacted, That the reſpective Surveyors of the High-Ways, and Inhabitants of the Pariſhes of St. *Mary*'s, St. *Georges*, and St. *Andrews*, ſhall be ſeverally ſubject to the like Pains and Penalties, for their or any of their neglect of their Duty therein, and be in the ſame way and manner recovered, and in the like manner applied, as is provided for and appointed in the Act for the

the High-Ways, for the neglect of their ſeveral Duties in the like kind.

Provided always, That if at any time hereafter it ſhall be found neceſſary that the ſaid Path or Paths, or any part of them ſhould be turned or altered, that it ſhall, and may be done in ſuch manner as in the ſaid Act for the High-Ways is provided and appointed in the ſaid Act for turning or altering Old-Ways to more Conveniencies, any Law, Cuſtom, or Uſage to the contrary in any wiſe notwithſtanding.

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## An ACT

### *Appointing the Prices of Meats and Regulating Markets*

FOR Prevention of the many Hardſhips and Abuſes that may be put upon the Inhabitants of this Iſland, by thoſe that Sell in publick Markets the ſeveral ſorts of Meats hereafter mentioned, and demand Extravagant Prices for the ſame,

Be it enacted by their Majeſties Lieutenant-Governour, Council, and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon or Perſons upon any pretence whatſoever, Selling in any Publick Market within this Iſland, any of the ſeveral kinds of Meat hereafter named, preſume to ask, demand, or receive for Freſh Beef, or Goat, any more, higher, or greater Price, than Four Pence *per* Pound; Mutton Six Pence; Veal, the Breaſt and Loin Nine Pence, and any other part thereof Seven Pence Halfpenny the Pound; Hog, that weigheth Twelve Pounds the Quarter, or under, Seven Pence Halfpenny; and all weighing above, Six Pence the Pound; Lamb or Kid, Seven Pence Halfpenny the Pound; all which ſaid Meat ſhall be weighed with out the Head, Entrails, or Feet, and no Suet to be Sold at higher Rates than the Meats aforeſaid.

And be it further enacted by the Authority aforeſaid, That any Meat brought into the Market, and offered after cut up to be Sold for Veal, weighing above Twenty Five Pounds the Quarter, ſhall be adjudged Beef, and for Lamb weighing above Eight Pounds the Quarter, ſhall

ſhall be deemed Mutton, and each Sold by the Quarter or Joint, at the reſpective Prices in this Act before-mentioned.

And to prevent Selling and putting off old and ſmall Mutton for Lamb, be it further enacted by the Authority aforeſaid, That all Lamb ſhall be brought into the open Market with the Heads on, and ſhewn before cut up to the Clerk thereof, with the uſual Signs and Marks of Diſtinction, that he upon Scruple may determine the Matter between Buyer and Seller.

And be it further enacted by the Authority aforeſaid, That no Common Seller, Butcher, Cutter up of Tortle, or or any other Perſon whatſoever, Sell Tortle, or any of the Meats beforementioned by Retail, but in open Market, where they ſhall not refuſe to Sell the ſame to any Perſon, bringing ready Money by the Quarter, Joint, or Piece by weight, not leſs than the value of Seven Pence Halfpenny at the Prices aforeſaid, without Conditionally impoſing upon the Buyer the Head, Feet, Inwards, or any part thereof, or Meat of any other Kind whatſoever; which Meat ſo bought, and paid for, ſhall immediately be or cauſed

to be removed out of the ſaid Market by the Perſon Buying the ſame.

And to the end that it may be underſtood what within this Act ſhall be accounted the Publick and Open Market, be it enacted by the Authority aforeſaid, That the place appointed by the Juſtices in Seſſions for the Selling there the ſeveral Sorts of Meat in this Act mentioned, ſhall be deemed the Publick Market-place, and the Markets opening by the Ringing of the Bell by the Clerk thereof, or his order; which on *Saturdays* ſhall be at three of the Clock Afternoon, and on that and all other Days, *Sundays* excepted, at Five of the Clock in the Morning, and not ſooner; in which place, and after which time, the Market ſhall be adjudged Open and Publick, within this Act as aforeſaid.

Be it further enacted by the Authority aforeſaid, That from and after the Tenth Day of *Auguſt*, of this preſent Year One Thouſand Six Hundred Ninety Three, that this Act, and every Clauſe thereof, is, and ſhall be of Force to all Intents and Purpoſes whatſoever.

And be it further enacted by the Authority aforeſaid That all, and every Perſon whatſoever, Seller, Buyer, or Officer,

ficer, that ſhall Offend againſt any particular in this Act mentioned or contained, or any Branch thereof, he, ſhe, or they ſo offending, ſhall forfeit Forty Shillings for every ſuch Offence; one half to the Church-Wardens of the Pariſh where ſuch Offence ſhall be committed, for the Uſe of the ſaid Pariſh, the other half to the Clerk of the Market, Informer, or who ſhall ſue for the ſame, to be recovered before any Juſtice of the Peace, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

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## An ACT

*For the more ſpeedy Collecting his Majeſty's Quit-Rents, Fines, Forfeitures and Amerciaments.*

BE it enacted by his Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all and every Perſon or Perſons who ſhall repair to the Town of *St. Jago de la Vega* within Twelve Months after the making

making of this Act, and there accompt with the Receiver-General for the Time being, for ſuch Sum or Sums of Money as may be due to his Majeſty for Quit-Rent, and make Oath, if privy to the payment, that they have duly paid their Quit-Rent to ſuch a Year, but that their Receipts for the ſame are by ſome Caſualty loſt; and if not privy, that they believe they were paid, but that they cannot find the Receipts, (which Oath the ſaid Receiver-General is hereby empowered to adminiſter, and at the requeſt of the Party obliged to tender) and ſhall pay, or give good Security to pay in ſome ſhort Time, ſuch Sum or Sums of Money as they ſhall be found in Arrears; that then, and in ſuch Caſe, every ſuch Perſon and Perſons ſhall be diſcharged againſt his Majeſty, his Heirs and Succeſſors, to the Time of which they ſhall make Oath as aforeſaid. And the Receiver-General ſhall give every ſuch Perſon as ſhall demand the ſame a Certificate, that he has accopmted with him, her or them, and made Oath as aforeſaid; for which the Party or Parties demanding the ſame, ſhall pay the Sum of Two Shillings and Six Pence, and no more, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And

And be it further enacted and ordained by the Authority aforeſaid, That all and every Perſon or Perſons (not being Orphans) that do not Inhabit within this Iſland, and are poſſeſſed of and hold ſeveral Tracts of Land, whereupon no Settlement or Plantation hath hitherto been made, every ſuch Perſon or Perſons (not being Orphans as aforeſaid) are hereby required and obliged to accompt with the Receiver-General for the Time being, and pay all ſuch Sum and Sums of Money as ſhall be found due and in Arrears to his Majeſty for Quit-Rents, and likewiſe Settle and Plant upon ſome one parcel of the ſaid ſeveral Tract or Tracts of Land he ſo holdeth as aforeſaid, within Two Years after the paſſing of this Act, on Penalty of forfeiting the ſaid Lands. And in caſe at the expiration of the ſaid Term, the Owners or Poſſeſſors not having done and performed as by this Act is required, that then the Provoſt-Marſhal-General of this Iſland is hereby authorized and required, to make Proclamation of the ſame in the Supreme Court of Judicature held at the Town of St. *Jago de la Vega* aforeſaid, the two next Courts after ſuch Failure and Forfeiture as aforeſaid, and no Perſon appearing to defend the ſame,

Judg-

Judgment ſhall be affirmed for the King; and the ſaid Provoſt-Marſhal is hereby required and impowered to ſeize the ſame accordingly. And then, and from thenceforth the ſaid Lands as aforeſaid ſhall be ſolely veſted in our Sovereign Lord the King, his Heirs and Succeſſors, which ſhall be a perpetual Bar againſt any former Patent, Grant or Claim whatſoever. And then it ſhall and may be lawful for the Governour or Commander in Chief of this Iſland for the Time being, by Letters Patent under the Broad Seal of this Iſland, to grant the ſaid Lands to any Perſon whatſoever, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it further enacted and ordained by the Authority aforeſaid, That all and every Owner or Poſſeſſor of Lands, Inhabitants within this Iſland, firſt having duly accompted and paid his Majeſty's Quit-Rents, and all and every the Arrearages due for the ſame, hereby have power to reſign and ſurrender any whole Tract or Parcel of Land or Grant they now hold or are in poſſeſſion of, into the Hands of our Sovereign Lord the King, his Heirs and Succeſſors; which Surrender ſhall be made by Delivery up into the Hands of the Clerk of the Chancery

for

for the Time being, all ſuch Patents, Grants and Evidences whereby they have held the ſame, or by certifying the Records thereof; and the ſaid Clerk of the Chancery is hereby required and impowered to accept and receive the ſame, and upon Receipt thereof, to give a Certificate under his Hand to the Perſon or Perſons ſurrendring as aforeſaid, in which ſhall be expreſs'd the Date of the Grant, the Quantity of Land, the Pariſh it lies in, and the Bounds of the ſaid Land; which being duly acknowledged by the Clerk of the Chancery before the Governour for the Time being, or before ſome one of the Judges of the Courts within this Iſland, and Record thereof made in the Secretary's Office, ſhall be deemed and taken as a total Reſignation and Surrender of ſuch Grant or Patent, and the Perſon or Perſons ſurrendring in manner aforeſaid, ſhall be acquitted and diſcharged from all growing Rents and Services required for the ſame, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it further enacted by the Authority aforeſaid, That after ſurrender of any Lands as aforeſaid, that it ſhall and may be lawful for the Governour or Com-

Commander in Chief for the Time being, by Letters Patent under the Broad Seal of this Iſland, to Grant the ſaid Lands ſo ſurrendered, to any Perſon or Perſons whatſoever. And that the Clerk of the Chancery have and receive for a Fee for his Certificate and acknowledging, the Sum of Five Shillings for every Parcel of Land ſo reſigned and ſurrendred; and the Secretary the Sum of Two Shillings and Six Pence for recording the ſame, any thing in this or any other Act to the contrary notwithſtanding.

And be it farther enacted and ordained by the Authority aforeſaid, That all Fines, Forfeitures or Amerciaments ariſing within any of the Courts of Judicature within this Iſland, where his Majeſty's Grace and Favour is not extended, ſhall be paid by the Provoſt-Marſhal or his Deputy, into the Hands of the Receiver-General. And whatſoever Officer or Officers, or other Perſon whatſoever within this Iſland, that ſhall receive any of the Fines, Forfeitures, or Amerciaments that hath not been already appropriated, and ſhall neglect or delay to pay the ſame at or before the next Supream Court of Judicature, after the ſaid Fines, Forfeitures or Amerciaments are adjudg-

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ed or condemned in any of the Inferiour Courts in this Iſland, ſhall for every ſuch Offence pay double the Sum of Money ſo received and not paid in, to be recovered by Action of Debt in any Court of Record within this Iſland; and that all the Cuſtos Rotulorums, Juſtices and Judges of the ſeveral Inferiour Courts within this Iſland, ſhall certify all the ſaid Fines, Forfeitures and Amerciaments within their ſeveral Juriſdictions ſo adjudged as aforeſaid into the Supream Court, within one Month after ſuch Judgment as aforeſaid is paſſed for the ſame, to be Eſtreated for the more ſpeedy and certain collecting and receiving the ſame by the ſaid Receiver-General of his Majeſty's Revenue of this Iſland, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That from henceforth the Provoſt-Marſhal, his Deputies, Clerk of the Supream Court, and the Clerks of the Crown and Peace, within the ſeveral Precincts of this Iſland, and all others to whom it belongeth to make Returns of the Certificates, ſhall, upon Delivery of all and every ſuch Certificates, take the Oath following, (that is to ſay) You

ſhall

ſhall Swear that theſe Fines, Forfeitures and Amerciaments are truly and carefully entred, made up, and examined; and that all Fines, Iſſues, Amerciaments, Recognizances and Forfeitures, which were ſet, loſt, impoſed or forfeited, and in right and due Courſe of Law ought to be Eſtreated into the Supream Court of Judicature, are to the beſt of your knowledge and underſtanding therein contained. And that in the ſame Fines, Forfeitures and Amerciaments are alſo contained and expreſſed all ſuch Fines, Forfeitures and Amerciaments as have been paid into the Court from which the ſaid Eſtreats are made, without any wilful or fraudulent Diſcharge, Diſmiſſion, Omiſſion, Miſnomer or Defect whatſoever. *So help you God.*

Which ſaid Oath the Judges of his Majeſty's Supream Court to the Clerk thereof, and in all other Precincts the Juſtices in Seſſions, are hereby required and impowered to adminiſter from time to time accordingly, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

And be it further enacted and ordained by the Authority aforeſaid, That all Fines and Forfeitures in this Act mentioned

oned and contained, be one Moyety or half part thereof unto our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, and the other half to the Informer, or he that ſhall ſue for the ſame, to be recovered in any Court of Record within this Iſland, where no Eſſoign, Protection or Wager of Law ſhall be allowed, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

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## An ACT

### *For the better Order and Government of Slaves.*

WHereas it is found by Experience, that the often Inſurrections and Rebellions of the Slaves within this Iſland hath proved the ruin and deſtruction of ſeveral Families; to the end therefore that they may be puniſhed according to their Demerit, and their bloody and inhuman Practices; be it enacted by his Majeſty's Lieutenant-Governour,

Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That no Perſon whatſoever ſhall give leave to any Slave under his, her or their Care, Charge or Ownerſhip, (unleſs ſuch as wait on their Perſons or go in Liveries) to go out of their Plantation without a Ticket or White Servant, in which Ticket there is to be expreſſed their Names and Number, and alſo from and to what Place, on Penalty of paying for their taking up as Runaways; and whoſoever ſhall not endeavour to take up or apprehend any Slave coming into their Plantations, or where they have Care or Charge, (except as before excepted) and apprehending ſhall not puniſh them by moderate whipping, ſhall forfeit Forty Shillings. And if any Slave ſhall offer any Violence, by ſtriking or otherwiſe, to any White Perſon, ſuch Slave ſhall be puniſhed at the Diſcretion of Two Juſtices and Three Freeholders, who may inflict Death or any other Puniſhment according to their Diſcretion; Provided ſuch ſtriking or conflict be not by Command of his or their Owners, Overſeers or Perſons intruſted over them, or in the Lawful Defence of their Owners Perſons or Goods.

And

And be it further enacted by the Authority aforeſaid, That all Slaves ſhall have Cloths, that is, Men Jackets and Drawers, and Woman Jackets and Petticoats, or Frocks, once every Year, on or before the Twenty Fifth Day of *December*, upon Penalty of Five Shillings for every Slave's wanting; one half to the Informer, the other half to the Pariſh where ſuch Default ſhall be made; and the ſeveral and reſpective Conſtables within this Iſland ſhall take Care to preſent to the Juſtices all Owners or others that have the Care of Slaves, that ſhall not perform the ſame every Year, the firſt Seſſions in *January*, before the ſaid Conſtables ſhall be diſcharged from their Offices. And upon Complaint made by any Slave or Slaves to any Conſtable, that the Owner or Perſon that hath the Care of any Slave or Slaves hath not given him, her, or them Cloths, as in this Act is expreſs'd, the ſaid Conſtable or Conſtables, to whom ſuch Complaint ſhall be made, ſhall certify the ſame to the Juſtices in Seſſions as aforeſaid, which ſaid Juſtices ſhall cauſe the Owner or other Perſon as aforeſaid to come before them; and if when appearing he, ſhe or they ſhall make Oath before the ſaid

Juſtices that the Complaint is unjuſt, the ſaid Oath ſhall be a ſufficient Diſcharge. And that the Conſtables may not neglect their Duty herein, the Juſtices of the ſeveral Pariſhes and Precincts within this Iſland are hereby requir'd and impower'd to give in Charge upon Oath to every Conſtable the due Execution hereof; and all Maſters and Owners of Plantations ſhall and are hereby requir'd to have at all times hereafter one Acre of Ground well Planted, with Proviſion for every Five Slaves he hath in his Plantation, under the Penalty of Forty Shillings for every Acre ſo wanting.

And be it further enacted by the Authority aforeſaid, That no Perſon whatſoever, except the Provoſt-Marſhal at the Goals of St. *Jago de la Vega*, *Port-Royal* and *Kingſton*, ſhall keep any Runaway Slave or Slaves, above Ten Days; nor ſhall the Provoſt-Marſhal, or any other Perſon whatſoever, imploy any of them, or ſuffer him, her or them, in their Cuſtody to want convenient Food, Water and Lodging, on Penalty of Forty Pounds for every ſuch Offence, to be recovered by the Owner; and if the Provoſt-Marſhal or any other Perſon ſhall ſuffer ſuch Slave to die in his or their Cuſtody, for want

want of Food and Water, or dry and convenient Lodging, the Provoſt-Marſhal, or any other Perſon in whoſe Cuſtody ſuch Slave was, ſhall forfeit to the Owner or Owners Fifty Pounds for ſuch Slave or Slaves, to be recovered by Action of Debt in any Court of Record within this Iſland. And if the Provoſt-Marſhal, Deputy Marſhal, or any other Perſon under them or on their behalf, ſhall at any time preſume to ſell or diſpoſe of any Slave or Slaves, not having been Twelve Months in his or their Cuſtody, or in any other Place, manner or times than by publick Outcry at the Town of St. *Jago de la Vega*, in the times of the Supreme Courts, ſhall forfeit the Sum of Two Hundred Pounds Currant Money of this Iſland.

And be it further enacted by the Authority aforeſaid, That whoſoever ſhall take up any Runaway Slave or Slaves, ſuch Perſon or Perſons ſhall bring the ſaid Runaways to his or their proper Owners, if they know them, on Penalty of Twenty Shillings, and receive for their Pains for each Slave Twelve Pence *per* Mile for the firſt Five Miles, and Eight Pence *per* Mile for every Mile more, provided it exceed not Forty Shillings in the

whole, for each Slave; but if they do not know the Owners, then to the next Marſhal or Goal, upon pain of Forfeiture for every Day he or ſhe ſhall keep ſuch Slave or Slaves beyond the ſaid Ten Days, and thereof be convicted by Confeſſion or Verdict, the Sum of Twenty Pounds. And no Perſon ſhall receive payment for the taking up any Slave or Slaves, till he give an account of his own Name and Place of abode, with the time and Place when and where taken up, with an account of the Mark and Sex of all and every ſuch Slave and Slaves coming into their Cuſtody, which they ſhall cauſe to be fairly written and affix'd upon a publick place near the Goals of St. *Jago de la Vega*, *Port-Royal* and *Kingſton*; and the Deſcription and Account aforeſaid every ſix Weeks ſhall be fairly written and tranſmitted from and to each and every of the three places before-mentioned, and once every three Months to every Quarter Seſſions of the Peace within this Iſland, and publickly affixed as aforeſaid, on the Penalty of two Hundred Pounds; and the ſaid Marſhal ſhall enter the ſaid Account in a Book, and alſo take a receipt from any Perſon to whom he delivered the Runaway, with a Deſcription, of the Perſon to whom delivered;

livered; and in Caſe the Marſhal or Owner refuſe to make payment for taking up ſuch Runaway Slave or Slaves, and thereof Oath be made before any Juſtice of the Peace, the ſaid Juſtice is hereby authoriz'd and required to direct his Warrant to any Conſtable to cauſe the value thereof to be immediately levyed upon the Goods of the ſaid Marſhal or Owner, and the ſame to be ſold at publick Outcry, and Satisfaction to be made to the party aggrieved, returning the Overplus if any there be to the Owner: And that it ſhall and may be lawful for the Marſhal to detain and keep in Cuſtody the Bodies of ſuch Runaways ſo brought unto him, until the Owners of them or their Aſſigns ſhall pay unto him what he ſo paid to them who took them up, with two Shillings ſix Pence *per* Pound for laying out the Money, and ſo proportionably for a greater or leſſer Sum, and alſo ſix Pence for every Four and Twenty Hours the ſaid Slave or Slaves hath been in Cuſtody. And if the ſaid Marſhal ſhall willingly or negligently ſuffer any Slave or Slaves to eſcape, to be imploy'd or by any way or means to be out of his Cuſtody, before he, ſhe or they ſhall be duly deliver'd to the Owner, his, her

or their Aſſigns, then the Marſhal ſhall forfeit to the Owner Fifty Pounds Currant Money for every Slave ſo eſcaping, employ'd, or being out of their Cuſtody as aforeſaid; And whatſoever Slave or Slaves ſhall take up any Runaways, he ſhe or they ſhall have the whole Benefit thereof; and if any Perſon ſhall deprive any ſuch Slave of any ſuch Benefit, he, ſhe or they ſhall forfeit treble the Value.

And be it further enacted by the Authority aforeſaid, That every Maſter, Miſtreſs or Overſeer of a Family in this Iſland, ſhall cauſe all their Slaves Houſes to be diligently and effectually ſearched once every fourteen Days for Clubs, Wooden Swords, or other miſchievous Weapons, and finding any ſhall take them away and cauſe them to be burnt; and alſo upon Requeſt made to ſearch the ſame for ſtolen Cloths, Goods or any other things or Commodities, and any Slave or Slaves in whoſe Cuſtody ſuch ſtolen Goods ſhall be found ſhall ſuffer Death, Tranſportation, Diſmembring, or other Puniſhment, at the Diſcretion of two Juſtices and three Freeholders, or the major part of them, one of whom to be a Juſtice; and alſo if there ſhall be found in the Cuſtody of any Slave any thing ſuſ-

ſuſpected or known to be ſtolen Goods, the ſame ſhall ſeize and take into their Cuſtody, and a full and exact Deſcription of the particulars thereof ſhall give in writing within ſix Days after Diſcovery thereof to the Clerk of the Pariſh, or Clerk of the Court of the Precincts for the time being, who are hereby requir'd and impower'd to receive the ſame, and enter upon it the Day of its Receipt, and give an account at the Pariſh Church or Court of the Precincts in writing, that ſuch Goods loſt are found, to the end the Owner, giving the Clerk Proof, by mark or otherwiſe, that the Goods loſt belong to him, he may have the ſame reſtor'd, paying one Shilling three Pence to the Clerk for his Entry, and Declaration of the ſame; and the Parties by whom ſuch loſt Goods are taken into Cuſtody, are hereby requir'd to make and ſhall make Reſtitution of what is in being to the Owner, on Penalty of Twenty Pounds for each neglect or refuſal, by Maſter, Miſtreſs, Overſeer or Clerk as aforeſaid. And if any Perſon whatſoever ſhall demand of any Maſter, Miſtreſs or Overſeer immediate Leave to ſearch all or any Slaves Houſe or Houſes in their Plantation, for Goods loſt by the ſame

ſame Perſon, his Maſter or Miſtreſs, the Maſter, Miſtreſs, Overſeer, or other White Perſon refuſing ſuch Search, or delaying the Perſon demanding the ſame, ſhall forfeit the Sum of Twenty Pounds; provided nevertheleſs, That no Perſon whatſoever ſhall preſume to demand Leave to ſearch as aforeſaid, that hath not a Certificate under the Hand of ſome Juſtice of the Peace of that Precinct, ſignifying, that ſuch Perſon hath made Oath before him, that he hath loſt ſuch Goods as he requires to ſearch for; and in caſe there is no Juſtice of the Peace near, that then the Perſon perform the ſame within Six Days after ſuch Search made, on Penalty of Twenty Pounds for every ſuch Offence, the one half to the Uſe of the Pariſh, the other half to the Party injured.

And be it farther enacted by the Authority aforeſaid, That no Perſon ſhall attempt or endeavour to ſteal or carry off this Iſland, hide, conceal, or imploy any Slave, on Penalty of One Hundred Pounds; but whoſoever ſhall actually ſteal a Slave, or deface his, her or their Mark, ſhall be guilty of Felony, and ſhall be excluded the Benefit of Clergy: And whatſoever Slave or Slaves ſhall hide or entertain any Runaway Slave, or Slaves, ſhall

ſhall be ſeverally whipp'd by Order of any Juſtice of the Peace; and if the Owner or Owners, Overſeer, or other Perſon, that ſhall have Care of ſuch Slave or Slaves, ſo hiding or entertaining any Runaway or Runaways, and ſhall in any wiſe endeavour to prevent ſuch Correction or Whipping as aforeſaid, upon Proof thereof, ſhall forfeit Forty Shillings, to be recovered before any Juſtice of the Peace; the one half to the Uſe of the Pariſh, the other half to the Informer.

And be it farther enacted by the Authority aforeſaid, That if any Freeman or Servant ſhall kill or take any rebellious Slave or Slaves, he or they ſhall forthwith receive as a Reward Five Pounds currant Money; and if any Slave or Slaves ſhall kill or take any ſuch rebellious Slave or Slaves, he or they ſhall receive Forty Shillings of like Money, and a Serge Coat with a red Croſs on the right Shoulder, which the Church-Wardens of each of the reſpective Pariſhes where ſuch rebellious Slave or Slaves ſhall be killed or taken, are hereby requir'd to pay out of the Pariſh Stock; and in Caſe there be not ſo much of the Pariſh Money in the ſaid Church-Wardens Hands, that he or they pay the ſame out of their own Money,

Money, which is to be reimburs'd to him or them, out of the firſt Money raiſed in the next Year's Tax, together with Intereſt for ſo ready Payment of the ſaid Sum: And if the ſucceeding Church-Wardens for the Year enſuing, ſhall refuſe to pay and allow whatſoever Sum or Sums are expended by virtue of this Clauſe, that the ſame ſhall be heard and determined by any Juſtice of the Peace in the Precincts, in the ſame manner as is provided in an Act, Entitled, *An Act impowering Juſtices of the Peace to decide Differences not exceeding Forty Shillings.*

And be it farther enacted by the Authority aforeſaid, That all and every Slave and Slaves that ſhall run away and continue but for the Space of Twelve Months, except ſuch Slave or Slaves as ſhall not have been Three Years in this Iſland, ſhall be deemed rebellious, and their taking ſhall be paid accordingly; which Slave or Slaves ſo taken, as a Puniſhment for their Crime, ſhall be tranſported by Order of Two Juſtices and Three Freeholders, or the major part of them, one of whom to be a Juſtice, tho no other Crime ſhould appear againſt them; which Order the Owner or Truſtee ſhall ſee duly executed, under the Penalty

of

of Fifty Pounds for each Offence, to be recover'd in any Court of Record in this Iſland.

And it is farther enacted by the Authority aforeſaid, That if any Slave or Slaves tranſported off this Iſland by Order of Two Juſtices and Three Freeholders, as aforeſaid, for any Fault or Crime, ſhall at any Time wilfully return, upon Complaint made to any Juſtices of the Peace, he upon view of the Record, is hereby impower'd, and on Penalty of Fifty Pounds, immediately to iſſue out a Warrant under his Hand and Seal, to any Marſhal or Conſtable, forthwith to apprehend and execute, by hanging or otherwiſe, the ſaid Slave or Slaves ſo returning; and if any Slave or Slaves condemned to be tranſported, ſhall not be ſent by the Owners, according to the Judgment of the Juſtices and Freeholders who condemned him or them, it ſhall and may be lawful for any Juſtice, on Complaint made, upon view of the Record of his Tryal, to cauſe him or them to be executed, by hanging or otherwiſe, as is before directed.

And it is farther enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon to ruinate and deſtroy.

deſtroy any Plantation deſerted for the ſpace of Six Months, leſt it become a Receptacle for Fugitives; and the Juſtices in Seſſions upon Complaint made, whereby it appears to them, that any ſuch deſerted Plantation doth remain undeſtroy'd, to the Encouragement and Maintenance of out-lying Slaves, the ſaid Juſtices are hereby impowered to iſſue out their Warrants to the Surveyor or Surveyors of the Highways in that Pariſh or Precinct, for the deſtroying the Proviſions in the ſaid Plantations, who are hereby requir'd and impower'd to cauſe the ſame to be done, upon the ſame Account and in the ſame Manner, as if it were upon the Repairing the Highways, which ſhall be allow'd in the Surveyor's Account accordingly.

And it is farther enacted by the Authority aforeſaid, That every Commiſſion Officer within this Iſland ſhall be, and is hereby impower'd and requir'd, on Notice to him given, of the Haunt, Reſidence, or hiding Place of any Runaway Slaves, to raiſe a convenient Party of Men, not exceeding Twenty; and with them to purſue, kill, or take alive, all or any of the ſaid Runaways, and ſhall have and receive from their Owners, as a Reward

for

for their ſo doing, Forty Shillings *per* Head for all Slaves taken and brought in alive, and Twenty Shillings *per* Head for every Slave killed or driven Home; that is to ſay, for all Slaves run away, that ſhall ſurrender themſelves after the going out of the ſaid Party. All which Sums ſhall be recover'd before any Two Juſtices of the Peace, who are hereby impower'd and requir'd, upon Complaint made to them, to proceed therein as in all Caſes, of Forty Shillings; which ſaid Money ſhall be divided among the ſaid Party, the Officer reſerving Three Shares to himſelf. And whatſoever Commiſſion Officer or Officers ſhall neglect his or their Duty therein, he or they ſhall forfeit the Sum of Twenty Pounds.

And be it farther enacted by the Authority aforeſaid, That upon Complaint made to any Juſtice of the Peace, of any Felony, Burglary, Robbery, Burning of Houſes, Canes, rebellious Conſpiracies, or any other capital Offence whatſoever, he the ſaid Juſtice ſhall iſſue out his Warrant for the apprehending the Offender or Offenders, and for all Perſons to come before him, that can give Evidence, (and the Evidence of one Slave againſt another, in this and all other Caſes, ſhall be deemed

deemed good and ſufficient Proof). And if upon Examination, it probably appears that the Apprehended are Guilty, he ſhall commit him, her or them to Priſon, and certify to the next Juſtice the Cauſe, and require him by virtue of this Act, to aſſociate himſelf to him; which ſuch Juſtice is hereby required to do: And they ſo aſſociated, ſhall iſſue out their Warrant to ſummon Three Freeholders, ſetting forth to them the Matter, and requiring them at a certain Day and Hour, and at ſuch a Place as the Juſtices and Veſtry, or the Juſtices where no Veſtry is, ſhall, as by this Act directed, appoint for ſuch Tryals; at which Time and Place, the ſaid Juſtices and Freeholders ſhall cauſe the ſaid Offender or Offenders, and Evidence, to come before them; and if they, on hearing of the Matter, the ſaid Freeholders being by the Juſtices firſt ſworn to judge uprightly and according to Evidence, which Oaths the ſaid Juſtices are hereby impower'd and requir'd to adminiſter, ſhall judge the Criminal or Criminals guilty of the Offence complain'd of, they or the Major part of them, of whom one to be a Juſtice, as in all Tryals within this Act, ſhall give Sentence of Death, Tranſportation, Diſmembring,

bring, or any other Puniſhment, as they in their Judgment ſhall think meet to inflict, and forthwith, by their Warrant, cauſe immediate Execution to be done by the common, or any other Executioner; (Women with Child only excepted, who are hereby Repriv'd till after Delivery) and if they judge not the Criminals to die for any Crime, but to receive corporal Puniſhment; and that the Owner as a Recompence, pay unto the Party or Parties injur'd, a certain Sum of Money; that then in caſe the Owner or Owners refuſe to pay the ſaid Sum, the ſaid Juſtices and Freeholders may adjudge the ſaid Criminal or Criminals to the Party or Parties injur'd, his, her or their Heirs for ever. And if any Slave or Slaves ſhall compaſs or imagine the Death of any White Perſon, and thereof be attainted by open Deed before Two Juſtices and Three Freeholders, ſuch Slave or Slaves ſhall ſuffer Death, any thing herein to the contrary notwithſtanding; and that all Petit Crimes, Treſpaſſes and Injuries committed by any Slave or Slaves, ſhall be heard and determin'd by any of his Majeſty's Juſtices within this Iſland. And if any Juſtice, Freeholder, or Marſhal, ſhall neglect his or their Duty herein,

ſhall reſpectively forfeit Twenty Pounds currant Money: Provided nevertheleſs, that when, and as often as any of the aforemention'd Crimes are committed by more than one Slave, that ſhall deſerve Death (Murder only excepted) that then, and in all ſuch Caſes only, one of the ſaid Criminals ſhall ſuffer Death, as exemplary to the reſt, who are to be returned to the Owners, after having receiv'd ſuch corporal Puniſhment as the ſaid Juſtices and Freeholders aforeſaid ſhall think fit to inflict; which Owner or Owners of Slave or Slaves ſo deliver'd back, ſhall bear proportionably the Loſs of the ſaid Slave ſo put to Death: And the Owner of the ſaid Slave ſo put to Death, with the Owner or Owners of the ſaid Slave or Slaves not executed, ſhall pay proportionably the Damage done by the ſaid Criminals to the Party or Parties injur'd, as ſhall be allotted them by the Juſtices and Freeholders as aforeſaid, not exceeding the Value of the Slave executed: And if any Perſon ſhall refuſe to pay his, her, or their part ſo allotted him, her or them, that then, and in all ſuch Caſes, the ſaid Juſtices and Freeholders are hereby required and impower'd to iſſue out their Warrant of Diſtreſs upon the

the Goods and Chattels of the Perſon ſo refuſing, whether they be Owner, Executor, Adminiſtrator, Guardian or Attorney, and ſhall cauſe the ſame to be ſold at publick Out-cry, to ſatisfy the ſaid Money ſo allotted them; to pay and return the Overplus, if any, to the Perſon concern'd; firſt deducting Twelve Pence in the Pound for the ſaid Diſtreſs and Sale.

And be it farther enacted by the Authority aforeſaid, That if any Perſon ſhall hide, conceal, or make away with any Slave or Slaves, ſuſpected to be guilty of any capital Offence, and not upon Demand, bring forth the Slave or Slaves; ſuch Perſon ſhall forfeit One Hundred Pounds.

And be it farther enacted by the Authority aforeſaid, That if any White Servant ſhall be taken ſtealing any Wood or Timber whatſoever, or any Bark fit for Tanning, and be thereof convicted before any Two of his Majeſty's Juſtices of the Peace, the Maſter or Miſtreſs of the ſaid White Servant or Servants ſo offending, ſhall pay unto the Owner or Proprietor of the Land where the Offence ſhall be committed, the Sum of Three Pounds currant Money of this Iſland, to be re-

cover'd before the ſaid Juſtices, who are hereby impower'd and requir'd to order the ſame, as in all Caſes of Forty Shillings; but if upon any Slave or Slaves ſhall be found any Wood, Timber or Bark, as aforeſaid, ſuch Slave or Slaves ſo offending, upon Proof thereof before any Two Juſtices of the Peace, ſhall be by the ſaid Juſtices condemn'd to ſerve the ſaid Owner or Owners, Proprietor or Proprietors of the ſaid Land ſix Months, without any Satisfaction given to the Perſon or Perſons to whom the ſaid Slave or Slaves do belong, any Thing to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That if any Perſon ſhall kill a Slave ſtealing or running away, that ſhall by Night be found out of his Owner's Ground, Road or Path, and refuſeth to ſubmit, ſuch Perſon ſhall not be liable to any Damage or Action for the ſame, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That the Juſtices and Veſtry, or the Juſtices where no Veſtries are within the ſeveral Pariſhes and Precincts in this Iſland, ſhall appoint a certain Place in each Pariſh or Precinct, where

where ſhall be the Tryal of all Slaves for capital Offences, and a Record ſhall be kept of all Proceedings thereon in a diſtinct Book, by the Clerk of the Peace or Clerk of the Veſtry, where there are no Clerks of the Peace of each Precinct, who is hereby obliged to give his Attendance at all ſuch Tryals, for which he and the other Officers ſhall receive ſuch Fees as the Juſtices and Veſtry, or the Juſtices where there is no Veſtry, ſhall allow; which ſhall be paid by the Pariſh if the Slave ſhall ſuffer Death, but by the Owner if Tranſported.

And whereas divers Slaves have of late attempted to deſtroy ſeveral People, as well White as Black, by Poiſon, the Conſequences of which ſecret way of murdering may prove fatal, if not timely prevented: Be it enacted by the Authority aforeſaid, That if any Negro, or any Slave or Slaves, before the making of this Act, have maliciouſly given or attempted to give, or ſhall hereafter maliciouſly give, attempt or cauſe to be given to any Perſon whatſoever, Free or Slave, any manner of Poiſon, altho the ſame was never taken, or if taken, Death did not or ſhall not enſue upon the Taking thereof, the ſaid Slave or Slaves, together with their Ac-

ceſſaries as well before as after the Fact, being Slaves and convicted thereof before Two Juſtices of the Peace and Three Freeholders, as aforeſaid, ſhall be adjudged guilty of Murder, as if the Party or Parties that took or ſhall take the ſame had died, and ſhall be condemned to ſuffer Death by hanging, burning, or ſuch other Way or Means, as to the ſaid Juſtices and Freeholders ſhall ſeem moſt convenient.

And it is farther enacted by the Authority aforeſaid, That all ſuch as have been Slaves and are already freed, as alſo all ſuch as are now Slaves and ſhall hereafter be declared Free, ſhall for all Offences, Capital or Criminal, be try'd and adjudged after the Method and Manner within this Act; and the Evidence of a Slave againſt them to be good and valid, to all Intents and Purpoſes, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And for the prevention of the meeting of Slaves in great Numbers on Sundays and Holy-days, whereby they have taken Liberty to contrive and bring to paſs many of their bloody and inhuman Tranſactions: Be it enacted by the Authority aforeſaid, That no Maſters or Miſtreſſes, or Overſeers, ſhall ſuffer any Druming

or

or Meeting of any Slaves, not belonging to their own Plantation, to Rendezvous, Feaſt, Revel, beat Drum, or cauſe any other Diſturbance, but forthwith endeavour to diſperſe them, by him or her ſelf, Overſeer or Servants; or not being capacitated to do the ſame, that he preſently give Notice to the next Commiſſion Officer to raiſe ſuch Number of Men as may be ſufficient to reduce the ſaid Slaves: And the ſaid Commiſſion Officer is hereby required and impower'd immediately to raiſe the ſaid Men, to reduce and diſperſe the ſaid Slaves; and whatſoever Owner or Owners, Overſeer or Commiſſion Officer, ſhall neglect his or their Duty herein, ſhall forfeit the Sum of Forty Shillings for every ſuch Offence, to be recover'd by Warrant before any Juſtice of the Peace of the ſaid Precincts.

And be it farther enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall permit or give Leave to any Slave or Slaves of their own, or under their Care, to hire out themſelves; or if any Perſon whatſoever ſhall hire any Slave or Slaves in any other Way or Manner than of their Maſters, Miſtreſſes, or other Perſon impower'd to Let the

ſaid Slave or Slaves to hire, or permit them to Travel about the Country; or if any Owner or Owners ſhall contract with his, her or their Slave or Slaves, for any Sum of Money or other Conſideration whatſoever, to give Liberty to the ſaid Slave or Slaves to imploy themſelves as they ſhall think fit, paying ſuch Sum of Money or other Conſideration he, ſhe or they ſhall forfeit the Sum of Forty Shillings for every ſuch Offence, to be recover'd before any Juſtice of the Peace, one half to the Informer, the other half to be paid to the Church-Wardens of the Pariſh, for the Uſe of the Pariſh where ſuch Offence is committed; and if any Slave or Slaves ſhall buy or ſell in any Place or Market whatſoever, any other Goods than ſuch as properly belong to their Owners, or are bought for their Owner's Uſe, or are expreſs'd in a Ticket from their Owner or Overſeer, ſuch Slave or Slaves, upon Complaint made to a Juſtice of the Peace, ſhall immediately be whipp'd by Order, and at the Diſcretion of the ſaid Juſtice; and whoſoever ſhall receive from, or buy or ſell with ſuch Slave or Slaves, contrary to the true Intent and Meaning of this Act, ſhall forfeit Ten Pounds for every ſuch Offence,

to

to be recovered in any Court of Record; and that the Offenders againſt this Clauſe may not go unpuniſh'd, the Juſtices of the ſeveral Pariſhes and Precincts are hereby oblig'd and impower'd to give the preſentment thereof in Charge to the ſeveral Conſtables upon Oath.

And be it farther enacted by the Authority aforeſaid, that if any Perſon ſhall willingly, wantonly or bloody mindedly kill a Negro or Slave, he, ſhe or they ſo offending, being thereof convicted by Verdict or Confeſſion in the Supreme Court of Judicature, ſhall be adjudged guilty of Felony for the firſt Offence, and have the Benefit of the Clergy, but the ſecond Offence ſhall be deemed Murder, and the Offender ſuffer for the ſaid Crime according to the Laws of *England*, Forfeiture of Lands and Tenements, Goods and Chattles only excepted.

And it is farther enacted by the Authority aforeſaid, That all Maſters or Owners of Boats, Wherries and Canoes plying within the Harbour of *Port-Royal*, ſhall give their own Bonds of fifty Pounds Sterling, not to carry any Negroes without a Ticket from their Owners or Overſeers, (except as before excepted) all which ſaid Bonds are to be taken in the King's

King's Name, and Recorded in the Secretary's Office, and thereupon due recovery to be made by all Perſons receiving Damage, in the ſame manner as is already appointed in the Act *requiring all Maſters of Ships and Veſſels to give Security in the Secretary's Office*; and the Secretary is hereby impowered to take one Shilling as his Fee for each of the Bonds, and no more. And in Caſe any ſuch Owners of Boats and Canoes ſhall not within forty Days, from and after the Publication of this Act, give in their Bonds to the Secretary as aforeſaid, they ſhall forfeit forty Shillings for every Week after the ſaid forty Days are expired; to be recovered by Warrant from any Juſtice of the Peace, and to the Uſe and Benefit of ſuch Perſon who ſhall inform or complain of the ſame.

And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtice or Juſtices and Freeholders aforeſaid, in the ſeveral Clauſes in this Act mentioned, to do their ſeveveral and reſpective Duties when Martial Law ſhall happen to be in force, as they might or ought to have done in time of common Law, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And

And it is farther enacted, That no Slave ſhall be free by becoming a Chriſtian; and for payment of Debts and Legacies all Slaves ſhall be deemed and taken as all other Goods and Chattles are, in the Hands of Executors or Adminiſtrators; and where other Goods and Chattles are not ſufficient to ſatisfy the ſaid Debts and Legacies, then ſo many Slaves as are neceſſary for the payment of Debts and Legacies ſhall be ſold, and the remaining Slaves, after the payment of the ſaid Debts and Legacies, ſhall be judged, deemed and taken as Inheritance, and ſhall accordingly deſcend; and all Children of Slaves, born in the Poſſeſſion of Tenant for Life or Years, ſhall remain or revert as the Parents do, or ſhould have done, to him or her in Reverſion or Remainder after Expiration of ſuch Term, of Years after the Death of Tenant for Life or Tenant in Tail, after Poſſibility of Iſſue extinct; provided nevertheleſs, that nothing in this Clauſe ſhall extend or be conſtru'd to extend to Leaſes heretofore made, any thing in this or any other Act to the contrary in any wiſe notwithſtanding.

And be it farther enacted, That all Slaves aſſigned for Dower ſhall be liable

able, proportionably with thoſe belonging to any Heir or Heirs, to the payment of Debts but not of Legacies, any thing to the contrary notwithſtanding; provided, that nothing in this Act contain'd ſhall extend to hinder any Perſon, poſſeſſed in his own Right of any Slave or Slaves, to ſell, or by Gift or otherwiſe, diſpoſe of ſuch Slave or Slaves, as he ſhall think fit during his Life-time; which Sale, Gift or Diſpoſal ſhall be a prepetual Bar to his Wife from any claim of Dower in ſuch Slave or Slaves.

And be it farther enacted by the Authority aforeſaid, that all Purchaſes heretofore made of any Slave or Slaves from any Perſons lawfully authoriz'd to diſpoſe of and ſell the ſame for good and valuable Conſideration, are hereby declared to be as good and effectual to all Intents and Purpoſes, as if the ſame had been by Deed in writing, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And to prevent Diſputes that may ariſe for the future about the Titles of or to any Slave or Slaves, be it enacted, That the Clerks of the Peace, or Clerk of the Veſtry where no Clerks of the Peace are, of the ſeveral and reſpective Pa-

Pariſhes and Precincts within this Iſland, ſhall keep a diſtinct Book, in which Entries ſhall be made of all Slaves ſold and diſpos'd of from one Party to another; in every of which Entries ſhall be expreſſed the time of the Sale made, with the Names of the Vendor and Vendee, the Name and Mark of the Slave or Slaves, with the Conſideration for which ſold; which ſaid Entry, if the Seller is lawfully authoriz'd to ſell or diſpoſe of ſuch Slave or Slaves, ſhall be as good and valid to ratify and confirm the ſaid Sale or Sales, as if the ſame had been by Deed in writing under Hand and Seal, and ſhall be held, deem'd and adjudg'd to be a ſufficient Record and Evidence in any Court of Record within this Iſland; and if by any Perſon razed or embezzeled, the Perſon ſo offending ſhall ſuffer ſuch Puniſhment as the Law hath provided againſt ſuch as raze and imbezzle Records; and for every ſuch Entry the Clerk ſhall receive, if but one Negro, ſeven Pence Halfpenny; if above, fifteen Pence and no more. And if any Buyer ſhall fail or neglect to make Entry with the Clerk as aforeſaid, he ſhall forfeit forty Shillings for every ſuch Offence. And if the Clerk ſhall refuſe or neglect to make ſuch Entry, he ſhall for-

forfeit Ten Pounds for every ſuch Offence to the Party injur'd, to be recovered by Action of Debt in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed: Provided nevertheleſs, That this Clauſe, or any thing therein contain'd, ſhall not be conſtrued to extend to oblige any Perſon or Perſons to make ſuch Entry of Slaves at their firſt Importation into this Iſland, any thing in the above Clauſe to the contrary notwithſtanding.

And be it enacted by the Authority aforeſaid, That all Maſters and Miſtreſſes, Owners, or in their Abſence, Overſeers of Slaves, ſhall as much as in them lies, endeavour the Inſtruction of their Slaves in the Principles of the Chriſtain Religion, whereby to facilitate their Converſion, and ſhall do their utmoſt endeavour to fit them for Baptiſm, and as ſoon as conveniently they can, ſhall cauſe to be Baptiz'd all ſuch as they can make ſenſible of a Deity and the Chriſtian Faith.

And be it farther enacted by the Authority aforeſaid, That the Juſtices within the ſeveral and reſpective Pariſhes and Precincts of this Iſland ſhall at the firſt Seſſions in every Year, limit and appoint the

the Number of Holy Days that ſhall be given to Slaves at the uſual Feſtivals of *Chriſtmas*, *Eaſter* and *Whitſontide*, any thing to the contrary notwithſtanding.

And be it farther enacted, That the Juſtices within their ſeveral and reſpective Pariſhes and Precincts within this Iſland, ſhall cauſe this Act to be publiſh'd every firſt Seſſions in the Year, on Penalty of ten Pounds, to be paid by the ſaid Juſtices in Caſe of neglect or refuſal, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And it is farther enacted by the Authority aforeſaid, That all Penalties mention'd in this Act, and not declar'd where they ſhall be recovered, or how diſpos'd of, not exceeding forty Shillings, ſhall be recovered by Warrant from any Juſtice of the Peace; and all Penalties exceeding forty Shillings ſhall be recovered by Action of Debt, Bill, Plaint or Information in any Court of Record within this Iſland; one Moyety or half part of all ſuch Forfeitures ſhall be to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, and the other Moyety or half part to the Informer, or him

him or them that ſhall ſue for the ſame.

And be it farther enacted by the Authority aforeſaid, That one Act, entitl'd, *An Act for better ordering of Slaves*, made at a Seſſions held by Prorogation the firſt Day of *September*, in the Twenty Fifth Year of the Reign of King *Charles* the Second, as alſo one other Act, entitled, *An Act for the better Government of Slaves*, made at an Aſſembly convened at St. *Jago de la Vega*, the Twentieth Day of *July*, in the fourth Year of the late King *James* the Second; both which ſaid Acts, and every Clauſe and Clauſes, Thing and Things therein contained, are hereby repealed, annihilated, and made void to all Intents and Purpoſes whatſoever, any thing to the contrary notwithſtanding.

# An ACT

## *For raiſing Parties to ſuppreſs Rebellious and Runaway Negroes.*

WHereas the Runaway and Rebellious Negroes in this Iſland, have of late murdered ſeveral of the Inhabitants thereof, as well White Perſons as Negroes, and have plundered and deſtroy'd many of the ſmall and out Settlements, and do ſtill in great Numbers continue doing what Robberies and other Miſchiefs they are able, and daily increaſe their Numbers by other Negroes Running away, and joining with them, which may be of fatal Conſequence, if not timely ſuppreſs'd by taking ſome ſpeedy Courſe to reduce them;

Be it therefore enacted by his Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That it ſhall and may be lawful for the Colonel of every Regiment or Pariſh in this Iſland, or in his Abſence the next Commanding Officer of the ſaid Regiment or Pariſh, on notice to him given of any con-

ſiderable Number of Negroes run away or in Rebellion, to raiſe and ſend out ſuch Party or Parties of Men as he ſhall think convenient to reduce ſuch Runaway or Rebellious Negroes. And for the better Encouragement of ſuch Men to go out, and ſuppreſs any Runaway or Rebellious Negroes as aforeſaid, it is hereby enacted, That the Commander of every ſuch Party ſhall have and receive ſix Pound *per* Month, the Serjeant three Pound *per* Month, and the reſt of the Party each fifty Shillings *per* Month, beſides all Plunder and other Encouragement given them in an Act, entitled, *An Act for the better Order and Government of Slaves*; which Party ſhall uſe their utmoſt Endeavours to purſue, take and deſtroy all ſuch Negroes, not only within the Limits and Bounds of their own Precincts, but alſo in any other adjoyning Precinct, until any one of the Commiſſion Officers of that Precinct where the Party then is, ſhall have notice from the Commander of the ſaid Party to raiſe another Party to follow the ſaid Rebels or Runaways; nor preſume to return to their Habitations, until they have either reduc'd the ſaid Runaway or Rebellious Negroes, or that the other Party be rais'd, or that

that they have been out in the purſuit of them one whole Month, if not ſooner recall'd by their Commanding Officer: And that then on the return of the ſaid Party or Parties, their Colonel or next Commanding Officer as aforeſaid, ſhall give a Certificate under his Hand what is due to each Perſon belonging to the ſaid Party; which Certificate appearing before the Governour or Commander in Chief of this Iſland for the time being, the ſaid Parties ſhall forthwith receive out of the Revenue, by an Order from the Governour and Council, their full Pay mentioned in the Certificate aforeſaid; and whatſoever Officer or private Centinel ſhall refuſe the lawful Command of his Colonel or next Commanding Officer as aforeſaid, by not going out in the ſaid Party, or procuring an able Man well armed in his ſtead to perform his Duty, the ſaid Colonel or next Commanding Officer ſhall forthwith commit the ſaid Officer or private Centinel into Cuſtody of the Marſhal of the Regiment, in order to be tryed and puniſh'd as is provided againſt ſuch as diſobey their Superior Officers.

And whereas a Party was formerly commanded out by Colonel *Modyford Free-*

*man*, under the Command of *James Hammond*, with a promiſe to be paid as was then agreed on, by the ſaid Colonel *Freeman*, but have not yet receiv'd their Pay; Be it therefore enacted by the Authority aforeſaid, That Lieutenant-Colonel *Nicholas Richardſon* is hereby impower'd to accompt with the Men belonging to the ſaid Party, and certify to the Governour what Monies remain due to them; which Party after having accompted as aforeſaid, ſhall forthwith be paid out of the Treaſury of this Iſland, by an Order from the Governour and Counſil, to the Receiver-General.

And whereas ſeveral Perſons were appointed by an Act, entitled, *An Act for the Encouragement and Freedom of Servants and Slaves, which have done or ſhall do any remarkable Service againſt the* French, *during this preſent War*, to and by virtue of that Act, *Richard Lloyd*, *James Baniſter*, *Thomas Bindlows*, and *John Walters*, Eſqs; four of the Perſons nominated in that Act, did under their Hands and Seals ſet free a Negro Man named *Cornelius*, belonging to *John Lewis* of *Port-Royal* Merchant, which they valu'd to be worth thirty and five Pounds; and by virtue of the ſame Act, *Richard Lloyd*, *John Walters*,

*ters*, and *Thomas Bindlows* Eſqs; three of the Perſons nominated in the ſaid Act, did under their Hands and Seals ſet free a Negro Man nam'd *Sawcy*, belonging to the Eſtate of *Jonathan Aſhurſt* deceas'd, which they valued to be worth thirty Pounds; and whereas ſeveral other Perſons Inhabitants of this Iſland have had ſeveral Negroes freed by virtue of the aforeſaid Act, and have ſince been paid by virtue of one other Act, entitled *An Act for raiſing the Sum of* 11000 l. *for paying the Debts contracted during the Deſcent of the French*, and what remain'd in the Receivers Hands, rais'd by virtue of that Act more than was paid away by the ſaid Receivers, being appropriated to the Revenue; and the ſaid *John Lewis* and the Eſtate of *Jonathan Aſhurſt* being yet unpaid for the ſaid Negroes; it is therefore enacted by the Authority aforeſaid, that the ſaid *John Lewis* receive Thirty and Five Pounds, and the Eſtate of *Jonathan Aſhurſt* Thirty Pounds, Currant Money out of the Treaſury of this Iſland, by an Order from the Governour and Council to the Receiver-General.

## An ACT

### *For Confirming and Securing Titles to Eſtates.*

WHereas by the late dreadful Earthquake, and later Deſcent of the *French* Enemy upon this his Majeſty's Iſland, ſome of the Records have been totally loſt, ſome deſtroy'd and ſpoil'd, and many Writings, Evidences and Conveyances belonging to ſeveral of the Inhabitants, either burnt, ſunk, or deſtroy'd, or otherwiſe may be found deficient, whereby it becomes difficult if not impoſſible juſtly to determine each Perſons Right and Title, which hath already occaſion'd many troubleſome Law-ſuits, and like to procure many more, and if not timely prevented by ſome good Law, may tend to the utter Ruin of many of his Majeſty's good Subjects in this Iſland; be it enacted and ordained by his Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all preſent Poſſeſſors of Lands, Tenements, Hereditaments or Ne-

Negroes, who have been Five Years in quiet and peaceable Poſſeſſion, without Claim or Interruption, or ſhall remain quietly and peaceably poſſeſſed without Claim or Interruption for the ſpace of Five Years from the time of ſuch Poſſeſſion, ſhall for ever hereafter hold the ſame as an Eſtate of Inheritance againſt all Perſons whatſoever, that can or may pretend to claim any Eſtate or Intereſt in the ſaid Lands, Tenements, Hereditaments or Negroes. And that in all Actions concerning Titles of Lands, Tenements, Hereditaments or Negroes, it ſhall be a good Plea in Bar in ſuch Action for the Tenant or Defendant to alledge, that he, ſhe or they, his, her or their Anceſtors or Predeceſſors whoſe Eſtate he, ſhe or they poſſeſs, have or hath been in quiet and peaceable Poſſeſſion of ſuch Lands, Tenements, Hereditaments or Negroes in Queſtion, for and during the ſpace of Five Years before the paſſing of this Act, or that now being in ſuch Poſſeſſion ſhall ſo remain and continue for the ſpace of Five Years from the time of ſuch Poſſeſſion; And this Plea Enter'd ſhall bar the Plaintiff or Demandant, unleſs he can diſprove the ſame, or make it appear that the ſaid Five

Years Poſſeſſion was during the time that the Plaintiff or Demandant was under the Age of one and Twenty Years, a Woman under Coverture, or Perſon of unſound Memory, or that the Defendant or Tenant held the ſame as Tenant by Leaſe, or Attorney, Guardian, or by virtue of ſome particular Uſe, Truſt, Mortgage, Courteſy, Dower for Years, Life or Intail, which at or before the time of that Action brought was fully expired; provided that ſuch Perſon under the Age of Twenty one Years, Woman under Coverture, or Perſon of unſound Memory, ſhall bring their Action for any ſuch Eſtate as aforeſaid, within three Years after ſuch Perſon ſhall attain the Age of One and Twenty Years, or Woman under Coverture ſhall become ſole, or Perſons of unſound Memory ſhall be *Compos Mentis*: And if any of the Perſons as aforeſaid ſhall not commence his, her or their Action within the ſaid three Years, or any Perſon or Perſons being abſent from this Iſland at the time of the paſſing of this Act ſhall not within the ſpace of three Years next enſuing commence his, her or their Action, every ſuch Perſon ſhall be, and are hereby for ever debar'd from bringing or commencing any ſuch Suit.

Suit, But if any ſuch Perſon or Perſons as aforeſaid, ſhall bring any manner of Action whatſoever after the times aforeſaid limited in this Act, it ſhall and may be lawful for the Defendant or Tenant to give this Act in Evidence, to bar any ſuch Action, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

Provided that nothing in this Act ſhall extend to any Eſtate under Mortgage, but that every ſuch Eſtate ſhall be and remain to all Intents and Purpoſes as before the making of this Act, any thing herein contain'd to the contrary in any wiſe notwithſtanding.

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## An ACT

*To oblige the Pariſhes of St.* Catherines *and St.* Andrews *to build a Bridge over the River* Rio Cobre.

WHereas the difficult Paſſage and unſecure Road between the Pariſhes of St. *Andrews* and St *Catherines* hath

hath been and is a great Diſadvantage, not only to the Inhabitants of the ſaid Pariſhes, but to the Iſland in General;

Be it therefore enacted by his Majeſty's Leiutenant-Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That within one Month after the paſſing of this Act the Juſtices of the Pariſhes of St. *Andrews* and St. *Catherines* ſhall view that part of the River were the Horſe-Ferry now is, dividing the aforeſaid Pariſhes, and the Roads of each ſide the ſaid River as far in St *Andrews* as the Plantation, commonly called *Water-Houſe*, and in St. *Catherines* as far as the Plantation commonly called *Cow-Park*; and within three Months after the paſſing of this Act, they the ſaid Juſtices and Veſtry-Men ſhall lay ſuch a Tax on each reſpective Pariſh, and raiſe and levy ſo much Money, as ſhall be ſufficient for the building a good, ſtrong and ſecure Bridge over that part of the ſaid River where the Horſe-Ferry now is, or over any other Part where the ſaid Juſtices ſhall think moſt convenient, or for the making ſuch a Road on each ſide of the ſaid River, as any Cart, Waine,

Wag-

Waggon, Coach, or other Carriage, may meet and paſs by each other without Lett or Damage; which ſhall be done at the proper Coſts and Charges of each reſpective Pariſh.

And be it farther enacted by the Authority aforeſaid, That the Bridge ſo to be built, ſhall be at leaſt Twelve Foot wide, and rail'd on both Sides, and ſhall be done at the common and equal Charge of the aforeſaid two Pariſhes, within the ſpace of Twelve Months after the Firſt Day of *July*, in this preſent Year of our Lord One Thouſand Six Hundred Ninety Nine; and ſhall always be by the ſaid Pariſhes maintained and kept in Repair, over which all Perſons ſhall paſs free. And if it ſhall happen, that the Bridge, when built, ſhould be broke down, fall, or be carry'd away by any Flood or otherwiſe, that then the ſaid Juſtices and Veſtry-Men for the Time being, of each of the aforeſaid Pariſhes, ſhall lay a Tax, and raiſe ſo much Money as ſhall build another Bridge of the ſame Strength and Dimenſions.

And be it farther enacted by the Authority aforeſaid, That whatſoever Juſtice or Veſtry-man of the Pariſhes aforeſaid, ſhall neglect his or their Duty herein, he or they

they neglecting ſhall forfeit for each Offence reſpectively, the Sum of Fifty Pounds to our Sovereign Lord the King, his Heirs and Succeſſors, for and towards the Support of the Government of this his Majeſty's Iſland, and the contingent Charges thereof; to be recover'd in the Supream Court of Judicature, by Bill, Plaint or Information, wherein no Eſſoign, Protection or Wager of Law, or *non vult ulterius Proſequi* ſhall be allow'd, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That the Maſters or Owners of the Ferry-Boat, ſhall and are hereby obliged to maintain and keep the ſaid Ferry-Boat in good and ſufficient Repair, and receive ſuch Toll and Duty as is directed and appointed in one Act of this Iſland, intitled, *An Act for maintaining the Ferry between St.* Catherines *and St.* Andrews, *until ſuch Time as the aforeſaid Bridge ſhall be built and compleated.* Provided nevertheleſs, That no Duty or Toll ſhall be paid for paſſing over the ſaid Ferry, by any Perſon or Perſons imploy'd in or about the Building the ſaid Bridge, or for the conveying or carrying over any Materials belonging to the ſame. And

if

if the ſaid Maſters or Owners of the ſaid Ferry-Boat ſhall refuſe or neglect to do and perform what they are hereby requir'd, they ſhall reſpectively forfeit the Sum of One Hundred Pounds, to be recover'd and apply'd as aforeſaid, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

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## An ACT

*To make ſundry Perſons a Body Politick, and Directors for the Bath of St.* Thomas *the Apoſtle.*

WHereas there has been lately diſcover'd in the Land of Colonel *Edward Stanton*, in the Pariſh of St. *Thomas* in the Eaſt, ſeveral Springs of Mineral Water, whereby many great and wonderful Cures have been effected on divers Perſons, the which would be of extraordinary Benefit to this Iſland, were the Roads and Paths thereunto made paſſable for ſick and infirm People, and Proviſion made of warm and convenient Apartments and other Neceſſaries, which by

by reaſon of the ragged Mountains, cannot be done without great Charge and Expence, nor maintain'd and ſupported without a certain Fund of Money, and good Order and Government; And whereas the Proprietor, Colonel *Edward Stanton*, has declared his willingneſs to tranſfer his Right to the ſaid Springs and Lands adjoining for the publick Good.

We therefore the Aſſembly of this your Majeſty's Iſland, humbly beſeech your Majeſty, that it may be enacted: And be it enacted by your Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That for the purchaſing the ſaid Springs and Lands adjoining, and for making a good Road to the ſaid Springs, and for erecting ſuch Buildings as ſhall be convenient for poor, ſick and infirm People, and other Neceſſaries, the Sum of One Thouſand Two Hundred and Fifty Pounds ariſing by virtue of one Act, intitled, *An Act for raiſing an additional Duty and Impoſt*, made this preſent Aſſembly, be paid by the Receiver-General into the Hands of the Perſons hereafter nominated and appointed, or into the Hands of ſuch Perſon or Perſons whom they or the major part of them ſhall appoint. And

be

be it farther enacted by the Authority aforeſaid, That the Right Honourable Sir *William Beeſton*, your Majeſty's Lieutenant-Governour and Commander in Chief of *Jamaica*, and ſuch as after him ſhall ſucceed in the ſaid Office of Governour or Commander in Chief of *Jamaica*, for and during the Time they ſhall ſo continue in the ſaid Office; *Peter Beckford*, Eſq; one of the Privy-Council of the ſaid Iſland, *Peter Leywood*, Eſq; one other of the Privy-Council of this Iſland, *Nicholas Laws*, Eſq; one other of the Privy-Council, and Chief Juſtice of this Iſland, and ſuch as ſhall ſucceed him in the Place of Chief Juſtice of this Iſland, during the Time they ſhall continue Chief Juſtice; *Charles Knights*, Eſq; *Henry Lowe*, Eſq; *Thomas Ayſcough*, Eſq; *Richard Dawkins*, Eſq; *Charles Chaplin*, Eſq; *James Baniſter*, Eſq; *Joſiah Heathcote*, Eſq; all of the Privy-Council of this Iſland, and all others who ſhall hereafter be of the Privy-Council of this your Majeſty's Iſland of *Jamaica*, during the Time they ſhall continue in the ſame Dignity; *Nicholas Richardſon*, Eſq; *John Clark*, Eſq; *Edward Turner*, Eſq; *William Harris*, Eſq; and *Arthur Meautis*, Eſq; Juſtices of the Peace of the Pariſhes of St. *Thomas* and

St.

St. *Davids* in this Iſland, and ſuch as hereafter ſhall be Juſtices of the *Quorum* in the ſaid Pariſhes of St. *Thomas* and St. *Davids*, or either of them, during the Time they ſhall continue Juſtices, ſhall and may be a Body Politick and Corporate, and ſhall for ever hereafter ſtand and be incorporated, eſtabliſhed and founded in Name and in Deed, a Body Politick and Corporate, to have Continuance and Succeſſion for ever, by the Name of the *Directors of the Bath of St.* Thomas *the Apoſtle*; and by that Name to have perpetual Succeſſion for ever. And the ſaid Directors and their Succeſſors for the Time being, ſhall and may have lawful Power, Licence and Authority, to purchaſe and hold to them and their Succeſſors, all that Parcel of Land, containing by Eſtimation, Eleven Hundred and Thirty Acres, wherein the ſame Springs are, and that the ſaid Springs and the Eleven Hundred and Thirty Acres of Land, when and as ſoon as the ſame ſhall be purchas'd by them, ſhall be call'd and known by the Name of the *Bath of St.* Thomas *the Apoſtle*; and that the Springs, and Lands, and all Edifices to be thereupon built, ſhall be and remain unto the ſaid Directors for ever, for the Uſe and Benefit, as

well

well of all your Majeſty's loving Subjects as Foreigners.

And be it farther enacted by the Authority aforeſaid, That the ſaid Directors for the time being and their Succeſſors ſhall have full Power and lawful Authority by the aforeſaid Name of the *Directors of the Bath of St.* Thomas *the Apoſtle* to ſue and be ſued, implead and to be impleaded, to anſwer and to be anſwer'd unto, in all manner of Courts and Places, that now are and hereafter ſhall be within this Iſland of *Jamaica*, in all manner of Suits whatſoever, and of what Nature and Kind ſoever ſuch Suits and Actions be or ſhall be, in the ſame ample manner and form, to all Intents, Conſtructions and Purpoſes, as any other Perſon or Perſons, Bodies Politick and Corporate in the Realm of *England*, being able Perſons in Law may do.

And be it farther enacted by the Authority aforeſaid, That the ſaid Directors and their Succeſſors for the time being, ſhall and may have full Power and Authority to demiſe, leaſe or to farm let any Part or Parcel of the ſaid Lands or Houſes hereafter to be built; and be it farther enacted by the Authority aforeſaid, That the ſaid Directors and

their Succeſſors for the time being, may have and uſe a common Seal for the making, granting and demiſing of ſuch their Demiſes and Leaſes, and for the doing all and every other thing touching or in any wiſe concerning the ſaid Incorporation; and alſo that the ſaid Directors or the major Part of them ſhall and may have full Power and Authority to change and alter the ſaid Seal at their pleaſure.

And be it farther enacted by the Authority aforeſaid, That the ſaid Directors and their Succeſſors, or the moſt Part of them, ſhall and may have full Power and Authority under the ſaid common Seal, to chooſe, nominate and appoint ſuch and as many Officers as they or the moſt Part of them ſhall judge neceſſary and requiſite for the ſaid Corporation, and to pay and allow them ſuch reaſonable Penſions, Fees or Salaries as to them ſhall ſeem meet; and the ſame or any of them upon any Neglect or Miſdemeanor to diſplace and remove, and upon the Death, Reſignation, Deprivation or Removal of them or any of them, others in their place and ſtead to appoint and put, and to make, ordain ſet down and preſcribe ſuch Rules, Laws and Ordinances, for the Order,

Rule

Rule and Government of the ſaid Bath of St. *Thomas* the Apoſtle, and of the Officers belonging to the ſame; and that the ſame Orders, Rules, Statutes and Ordinances ſo by the ſaid Directors and their Succeſſors for the time being, or the moſt Part of them, made, ſet down and preſcrib'd as aforeſaid, ſhall be and ſtand in full Power and Strength in Law, the ſame not being repugnant or contrary to your Majeſty's Prerogative Royal, nor to the Laws and Statutes of your Majeſty's Realm of *England*, or of this your Iſland of *Jamaica*, nor to any Eccleſiaſtical Canons or Conſtitution of the Church of *England*, then in Force and uſe.

And be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Directors or their Succeſſors for the time being, and they have hereby full Licenſe, Power and Authority, to erect and eſtabliſh, within the Bounds and Limits of the Bath of St. *Thomas* the Apoſtle, a Market for the killing, ſelling and vending of Neat and other Cattle, and Stock, and all other ſorts of Proviſions, to be held upon ſuch Days and Times as the aforeſaid Directors and their Succeſſors for

the time being, or the major Part of them, under their Common Seal ſhall appoint; with the like full Power and Authority for the ſaid Directors and their Succeſſors for the time being, to order and appoint a Clerk of the ſaid Market, with reaſonable Fees and Allowances, not exceeding what by Law ſhall be eſtabliſh'd in this Iſland in other Markets, and the ſaid Clerk for his Miſdemeanor or Neglect to diſplace and remove, and in Caſe of his Death, Reſignation, Deprivation or Removal, others in his ſtead to appoint and put; and alſo to grant Licenſe or Licenſes to ſuch Perſon or Perſons as they ſhall think fit, to ſell and retail ſtrong Liquors, without any Fee or Charge for the ſame, any Law, Cuſtom or Uſage to the contrary notwithſtand ing.

And be it farther enacted by the Authority aforeſaid, That none of the Lands within the Limits of the Bath of St. *Thomas* the Apoſtle, nor any Part thereof, nor any Houſes or Buildings thereon hereafter to be erected or built, ſhall be ſold alien'd or otherwiſe diſpos'd of, than at Will or for Term of Years, not exceeding Twenty One Years, any Law, Cuſtom or Uſage to the contrary notwith ſtanding.

And

And be it farther enacted by the Authority aforeſaid, That all and every Sum and Sums of Money that ſhall ariſe by virtue of any Leaſe or Leaſes of the ſaid One Thouſand One Hundred and Thirty Acres of Land, or any Part or Parcel thereof, which ſhall be demis'd and granted by the ſaid Directors or their Succeſſors for the time being, ſhall be imploy'd or laid out, either towards increaſing the Buildings or mending the Roads to the Bath, and providing Neceſſaries and Conveniencies for ſick and poor People, as the ſaid Directors or their Succeſſors ſhall think fit, and to no other Uſe, Intent or Purpoſe whatſoever.

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## An ACT

### *Appointing Scavengers, and Regulating Wharfage at* Port-Royal.

WHereas the Town and Pariſh of *Port-Royal* hath not Land ſufficient to elect Surveyors of the High-Ways, according to an Act, entitled, *An Act for the High-Ways*, made in the Thirty

Second Year of his late Majeſty King *Charles* the Second, whereby the ſaid Town cannot be kept ſo clean and healthful as it ought or might be.

Be it therefore enacted and ordained by his Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful for the Juſtices and Veſtry of *Port-Royal* aforeſaid, who alſo are hereby required and obliged, every Year when they ſhall firſt meet to lay their Pariſh Tax, to elect and chuſe Two or more Inhabitants of *Port-Royal* to be Scavengers in the ſaid Town, and them to be empower'd by the Juſtices of the ſaid Place to employ Rakers for the Cleanſing of the Streets, Lanes, Allies and publick Places of the ſaid Town, of the Duſt, Filth and other Annoyances therein, and at ſuch convenient Time and Times as ſhall be by the ſaid Juſtices aſſign'd, to be carry'd away and removed to ſuch Place or Places as to the ſaid Juſtices ſhall ſeem meet, for the Health of the People, and keeping ſweet and clean the ſaid Place, and to pay the Rakers by the Hands of the Church-Wardens out of the Stock of the ſaid Pariſh,

Pariſh, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And if any Juſtice neglect his Duty, touching the Premiſes, or any Part thereof, he ſhall forfeit Ten Pounds: And every Veſtry-Man, Scavenger or Clerk of the Veſtry, who ſhall neglect his or their Duty, where no Penalty is before ſet, ſhall reſpectively forfeit Five Pounds for each Offence.

And be it farther enacted by the Authority aforeſaid, That all Perſons keeping publick Wharfs on *Port-Royal* aforeſaid, ſhall be obliged to keep a Book, wherein he, ſhe or they ſhall fairly enter the Marks and Numbers of all ſuch Goods as ſhall be landed on his, her or their Wharf or Wharfs, and alſo the Names of the Perſon or Perſons by whom landed, and the Name or Names of the Veſſel or Veſſels out of which the ſaid Goods ſhall be taken, and alſo to take a Receipt of the Perſon or Perſons to whom the ſaid Goods ſhall be deliver'd. And if any Owner or Owners of Wharf or Wharfs ſhall receive Payment for any Goods landed on their ſaid Wharf or Wharfs, or for any Veſſel Lying and Undelivering or Lading thereat, the ſame Wharf or Wharfs ſhall be deemed and held to

be a publick Wharf. And whatſoever Wharfinger ſhall neglect to keep ſuch a Book, and to make ſuch Entries as aforeſaid, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Owner or Owners of Wharf or Wharfs as aforeſaid, from and after the firſt Day of *Auguſt*, in this preſent Year 1699, to demand and receive of any Perſon or Perſons whatſoever, landing any Goods on his, her or their Wharfs, the Rates hereafter mentioned, *viz.* for each Hogſhead of Sugar or other Goods of the product of this Country the Sum of One Shilling and Sixpence, for Wharfage, Landing, Covering, Weighing and Shipping off; and for Indico, Cotton, Piemento, and Ginger in Bagg or ſmall Cask, *per* Hundred Three Halfpence for Landing, Wharfage and Weighing; and the like Sum of Three Halfpence *per* Hundred for Shipping off again. And for Wharfage and Weighing of each Ton of Logwood and all other Woods for the Dyers Uſe, the Sum of Fifteen Pence; and the like Sum

Sum of Fifteen Pence *per* every Ton for Weighing and Shipping off the ſame. And for each Ton of *European* Goods landed, or Goods from *North America* or the Weſtern Iſlands, Two Shillings Six-pence *per* Ton, *Jamaica* Tonnage; and the like Sum of Two Shillings Six Pence *per* Ton for Shipping off the ſame again. And for Cocoa, Sarſaparilla and Jeſuits Bark, the Sum of Three Halfpence *per* Hundred Weight; and for Salt a Halfpenny *per* Buſhel. And each Wharfinger is hereby oblig'd to keep a Crain, and Skids, and Tarpaulins for ſecuring of Goods landed upon their Wharf or Wharfs from the Weather, on Penalty of forfeiting the Sum of Forty Shillings for every Default, and be farther liable to pay any Damage that ſhall be done to any Goods lying on their ſaid Wharf.

And whereas many of the Inhabitants of *Port-Royal*, having Lands adjoyning upon his Majeſty's Streets next the Harbour ſunk in the late dreadful Earthquake, which ſaid Inhabitants are willing to fill up the ſaid Streets adjoyning to the ſaid Land, provided they may enjoy the Benefit of the ſaid Streets for Wharfs; in Conſideration of the great Charge they will be at in filling the ſame, until ſuch time

time as any other Perſon or Perſons that have Land on the other ſide of the ſaid Streets ſhall fill up their reſpective Land, which will be of great advantage to the Iſland in general; be it therefore enacted by the Authority aforeſaid That any Perſon or Perſons filling up any part of a Street as aforeſaid, ſhall enjoy, poſſeſs and receive the Profit and Benefit thereof as a Wharf for the Term of Ten Years, or until ſuch time as the Proprietor or Proprietors of the Land lying on the other ſide of the ſaid Street ſhall fill up their ſaid Lands.

And whereas there are ſeveral publick Streets, Lanes and Alleys, the Ends of which are adjoyning to the Harbour, and convenient for the Water, Canoes, Boats and Wherries to unlade at, no Perſon or or Perſons whatſoever ſhall be ſuffered to Wharf or fill up the Ends of the ſaid Lanes, Streets or Alleys towards the Harbour, to prevent or hinder the ſaid Canoes, Boats or Wherries from landing or taking on board their Water or other Freight, any thing in this Law or any other to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That the ſeveral Forfeitures

tures and Penalties in this Act mentioned, ſhall be one Moyety to the uſe of the Pariſh of *Port-Royal*, and the other Moyety to the Informer, to be recovered, if not exceeding Forty Shillings, before any Juſtice of the Peace, and if above Forty Shillings by Bill, Plaint or Information in any Court of Record within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

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## An ACT

*For erecting and eſtabliſhing a Free-School in the Pariſh of St.* Andrews.

HUmbly beſeeching your moſt Excellent Majeſty, *Nicholas Law* of the Pariſh of St. *Andrews* in the Iſland aforeſaid, Eſq; being ſeiz'd in his Demeſne as of Fee, of and in two Acres and a half of Land, ſituate lying and being at half Way Free in the Pariſh of St. *Andrews* aforeſaid, butting South Eaſterly on

on the great Road, East on *Thomas Webb*, Northerly on *Francis Daniel*, and West Southerly on the ſaid *Nicholas Law*, whereon is a Meſſuage and Buildings thereto belonging convenient for a Free-School; That it may be enacted, ordained and eſtabliſhed, and be it enacted, ordained and eſtabliſhed by your Majeſty's Lieutenant-Governour, Council and Aſſembly of this Iſland, and it is hereby enacted, ordained and eſtabliſhed by the Authority of the ſame, That it ſhall and may be lawful to make and eſtabliſh on the ſaid Land a Free-School, for the abiding, dwelling and neceſſary Uſe of one or more School-Maſters and Uſhers of the Religion of the *Church of England*, for the inſtructing without Charge of Youth, in Reading, Writing, Latin, Greek, Hebrew, Arithmetick, Merchants Accompts and the Mathematicks, the Children of the Pariſh of St. *Andrews* and *Kingſton*, and the Chlidren of all ſuch as ſhall ſettle to the value of Five Pounds *per Annum*, or pay Fifty Pounds Currant Money of *Jamaica*, for the Improvement and Advancement of the ſaid School; and that the ſame ſhall and may be called and named St. *Andrews Free-School*; and that there be Seven fit and able Perſons of

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the Pariſh of St *Andrews* and *Kingſton* aforeſaid, nominated and appointed Governours of the ſaid Free-School; and that upon the Deceaſe or Reſignation of or Departure from this Iſland of any of the ſaid Governours of the Pariſhes of St. *Andrews* and *Kingſton* aforeſaid, others of the ſame Pariſhes within Three Months after ſuch Death, Reſignation, or Departure from this Iſland, ſhall and may be choſen by the reſt of the Governours, or the major Part of them, out of the Inhabitants of the ſaid Pariſhes; and that *James Bradſhaw*, *Edward Harriſon*, *Peter Robinſon*, *Joſiah Heathcote*, *Charles de la Cree*, *Thomas Clarke*, Jun. and *Thomas Aſhburne*, Eſqs; ſhall and may be Governours of the ſaid Free-School; and that they the ſaid Governours, and they who ſhall ſucceed by ſuch Choice and Election, ſhall be Governours of the ſaid Free-School and of the Land and Houſes now uſed and occupyed, given by the ſaid *Nicholas Law*, and of all Meſſuages, Lands, Tenements and Hereditaments whatſoever, which ſhall or may be given by any Perſon or Perſons whatſoever, or purchas'd by the ſaid Governours or their Succeſſors, for the Uſe or Benefit of the ſaid Free-School, at all times hereafter

for

for ever; and that the ſaid Governours and their Succeſſors, and Free-School ſhall for ever hereafter ſtand and be incorporated, eſtabliſhed and founded in Name and in Deed a Body Politick Incorporate, to have continuance for ever, by the Name of the *Governours of the Free-School of St. Andrews*; and that they the ſaid Governours may have prepetual Succeſſion: And that by that Name they and their Succeſſors may for ever hereafter have, hold and enjoy the ſaid Free-School, and all Meſſuages, Lands, Tenements, and Hereditaments, and all Gifts or Beneficences, which at any time or times hereafter ſhall be given or purchas'd for the Uſe and Benefit of the ſaid Free-School, without any Licenſe of or for the Statute of *Mortmaine*, or any other Statute to the contrary notwithſtanding. And that the ſaid Governours or their Succeſſors, or the major Part of them, by the ſame Name, ſhall and may have Power, Ability and Capacity to Demiſe, Leaſe and Grant their Poſſeſſions and Hereditaments as above given by the ſaid *Nicholas Law*, and every of them; and to take, acquire and purchaſe, and to ſue and be ſued, and to do, perform and execute all and every lawful Act and thing good and

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neceſſary and profitable for the ſaid Corporation, in as full and ample Manner and Form, to all Intents, Conſtructions and Purpoſes, as any other Corporation or Body Politick and Corporate fully and perfectly Incorporated may do. And that the ſaid Governours and their Succeſſors for the time being, may have and uſe a Common Seal for the making, granting and demiſing of ſuch their Demiſes or Leaſes, and for the doing of all and every other thing or things touching or in any wiſe concerning the ſaid Corporation: In which Seal ſhall be engraven the Arms of the ſaid *Nicholas Law*. And alſo that it may be enacted by the Authority aforeſaid, and be it enacted by the Authority aforeſaid, That the Governours or their Succeſſors for the time being, or the moſt Part of them, ſhall have full Power and Authority to nominate, and ſhall and may nominate and appoint when and as often as they ſhall think good, ſuch Perſon or Perſons as they ſhall think meet to be School-Maſters and Uſhers of the ſaid School, and receive into the ſaid School as many poor Children as the ſaid Governours, or the major Part of them for the time being, ſhall think fit, to be maintain'd in proportion to the Revenues

of

of the ſaid School for the time being; and when any of them by Death, Reſignation, Deprivation or otherwiſe ſhall become void, ſhall and may within three Months next after ſuch voidance, by Writing under their ſaid common Seal, nominate and appoint one or more learned, godly, diſcreet and meet Men and Perſons to be School-Maſters and Uſhers and Children in the Places of them, and every of them ſo deceaſing, reſigning or otherwiſe becoming void; and that they the ſaid Governours and their Succeſſors may from time to time expend ſuch Sum or Sums of Money in proportion to the Revenues of the ſaid School, and as the ſame will bear it, in and about the repairing, maintaining, upholding or enlarging of the ſaid Meſſuage and Buildings thereto belonging, as to the ſaid Governours for the time being or major Part of them ſhall ſeem meet, requiſite and neceſſary.

And that it may be enacted by the Authority aforeſaid, and be it enacted by the Authority aforeſaid, That the ſaid Governours and their Succeſſors for the time being, or the major Part of them, ſhall and may have full Power and Authority under the ſaid common Seal, to make,

make, ordain, ſet down and preſcribe ſuch Rules, Statutes and Ordinances for the Order, Rule and Government of the ſaid Free-School and of the ſaid Maſters, Uſhers and Children, and their Succeſſors for their and every of their Stipends and Allowances, for and towards their and every of their Maintainance and Relief, as to the ſaid Governours or their Succeſſors for the time being, or the moſt Part of them, ſhall ſeem meet and convenient; and that the ſame Orders, Rules, Statutes and Ordinances ſo by them or the major Part of them made, ſet down and preſcribed as aforeſaid, ſhall be and ſtand in full Force and Strength in Law, the ſame not being repugnant nor contrary to his Majeſty's Prerogative Royal, nor the Laws and Statutes of *England* or this Iſland, nor to any Eccleſiaſtical Canons or Conſtitutions of the Church of *England*: And that the Governours and their Succeſſors for the time being, or the moſt Part of them, ſhall and may have full Power and Authority to viſit the ſaid School, and to order, reform and redreſs all Diſorders and Abuſes in and touching the Government and diſpoſing of the ſame; and farther to cenſure, ſuſpend and deprive the ſaid School Maſters,

Ushers, poor Children for the time being, and every or any of them, as to them or the major Part of them shall seem just, fit and convenient.

And it is also enacted by the Authority aforesaid, That it shall not be lawful for the Governours for the time being, or any of them, to or for their own private Use or Benefit to buy, sell, rent, or lease any of the Lands or Tenements settled, purchas'd or given for the Uses aforesaid.

And it is farther enacted by the Authority aforesaid, That if any of the Governours for the time being shall decease, resign or depart this Island, and the surviving or remaining Governours shall refuse or neglect to chuse others in their Room or Stead within Three Months after such Death, Resignation or Departure, that then it shall and may be lawful to and for the Governours of this Island for the time being, by Letters Patents under the Broad Seal of this Island, to nominate and appoint such Person or Persons as he shall think fit, to the Governour or Governours of the said School, in the Place or Places of those so deceased, resigned or departed, any Law, Custom or Usage to the contrary in any wise notwithstanding.

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# An ACT

*For Dividing the Pariſh of St.* Elizabeths *into two diſtinct Pariſhes for the Eaſe of the Inhabitants.*

WHereas the Pariſh of St. *Elizabeths* is of ſuch large Extent, that the Inhabitants without long Time of Warning, extraordinary Fatigue, loſs of Time and great Expence, cannot convene and appear on publick Occaſions either at Church, Election of Members to ſerve as Repreſentatives in Aſſemblies, chooſing Church-Wardens or Veſtry-Men, laying on Taxes, appointing Surveyors, and many other Privileges as Subjects of *England*, are thereby loſt; and whereas the Quantity of Land, Number of Settlements, and Inhabitants contained in the ſaid Pariſh are ſufficient for Two ſeveral and diſtinct Pariſhes: Be it therefore enacted and ordained by her Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That the ſaid Pariſh of St. *Elizabeth* be divided and is hereby divided into Two

ſeparate and diſtinct Pariſhes, at a Place commonly called and known by the Name of *Scots Cove* in *Syranam* Quarters, from thence due North-Eaſt ſhall divide the ſaid Two Pariſhes, and from the Eaſtward of the ſaid Diviſion to the Pariſh of *Clarendon* and *Vere*, ſhall be a diſtinct and ſeparate Pariſh, to be called and known by the Name of the Pariſh of St. *Elizabeths*; and to the Weſtward of the ſaid Dividing as aforeſaid, to the South-Bounds of the Pariſh of St. *James*, ſhall be a diſtinct and ſeparate Pariſh, and is hereby called and to be known by the Name of the Pariſh of *Weſtmorland*; which ſaid Two Pariſhes ſhall be and for ever hereafter taken and eſteemed, to all Intents and Purpoſes, Two diſtinct Pariſhes, ſeparate from each other, and be called and known by the Names of the Pariſhes of St. *Elizabeths* and *Weſtmorland*; and have, uſe, exerciſe and enjoy all and every the Powers, Authorities, Benefits and Privileges, Rights, Immunities and Cuſtoms, that all or any of the Pariſhes or Precincts within this Iſland have or ought to have, uſe, exerciſe, or enjoy of common Right, or by Virtue of any general Act or Acts of this Country, as fully, amply and

and effectually as if they had been Two diſtinct and ſeparate Pariſhes or Precincts, and therein by Name expreſly mentioned and ſpecified, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And whereas it may be ſuppos'd that the Pariſh of St. *Elizabeths*, before the Separating and Dividing thereof, was indebted and in Arrear in Taxing, Levying and Paying ſome publick Debt or Sum of Money; and whereas there is already, before the Dividing of the Pariſh as aforeſaid, Money taxed, collected or pay'd to the Church-Wardens or Conſtables; Therefore be it enacted and ordained by the Authority aforeſaid, That the Church-Wardens, which ſhall be next choſen for each of the Two ſeveral and reſpective Pariſhes, ſhall have and receive, ſue for or recover ſuch Proportion of the Money already taxed, levy'd or pay'd, as was taxed, levy'd, collected or pay'd in or by the Inhabitants of the Pariſh of *Weſtmorland* before they were divided; and that each of the ſaid Pariſhes ſhall raiſe Money according to the Proportion aforeſaid, for the Payment and Diſcharging ſuch publick Debts as were due from

the Pariſh of St. *Elizabeths* at the Time of the Dividing the ſame into Two ſeparate and diſtinct Pariſhes, any Law, Cuſtom or Uſage in any wiſe to the contrary notwithſtanding.

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## An ACT

*For Raiſing a Revenue to her Majeſty, her Heirs and Succeſſors, for the Support of the Government of this Iſland, and for Maintaining and Repairing her Majeſty's Forts and Fortifications.*

WHereas your Sacred Majeſty and your Royal Predeceſſors, out of your great Tenderneſs to your Majeſty's Subjects of this your Iſland, upon the Complaint of the Planters and Merchants, were pleas'd to forbear Confirming an Act paſs'd here in the Government of his Grace the Duke of *Albemarle*, intitled, *An Act for raiſing a publick Revenue to the King, his Heirs and Succeſſors, for the Support of the Government of this his Majeſty's Iſland*;

*Iſland*; and whereas your Majeſty was pleas'd by your Royal Inſtruction to your Majeſty's preſent Lieutenant-Governour, dated at your Court at St. *James*'s the Twenty Fifth Day of *February*, in the Firſt Year of your Majeſty's Reign, *Anno Domini* 1702, which was communicated to this Aſſembly the Twenty Sixth Day of *May*, *Anno Domini* 1703. to ſignify, that your Majeſty did allow till the Month of *November* next to paſs and offer ſuch other Act to your Majeſty for the Settling the Revenue of this Iſland, as may be fit to receive your Royal Approbation: We therefore your Majeſty's moſt Dutiful and Loyal Subjects the Aſſembly of this your Iſland of *Jamaica*, do moſt humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That for and towards the Support of the Government of this your Majeſty's Iſland and the contingent Charges thereof, from henceforth all the following Liquors, Goods, Wares and Merchandizes hereafter ſpecify'd, that ſhall be imported into this your Majeſty's Iſland, ſhall pay as a Duty and Impoſt as followeth, *viz.*

All *Spaniſh* and *Madera* Wines *per* Ton, Four Pounds.

All Wines imported of the Growth of the Weſtern-Iſlands, or Mixture of the *Madera* Wines with thoſe of the Weſtern-Iſlands, commonly call'd the *Azores*, the Sum of Twenty Pounds *per* Ton.

Every Ton of *French*, *Rheniſh* or *Portugal* Wines, Three Pounds.

Every Gallon of Brandy, One Shilling.

Every Gallon of *Engliſh* Spirits, Three Pence.

Every Ton of Beer, Ale or Cyder Eight Shillings.

Every Ton of Mum or Metheglin Two Pounds.

For every Hundred Weight of white Sugar, Fifteen Shillings.

For every Hundred Pound of Muſcovado or Panneel Sugar, Six Shillings.

For every Pound of Tobacco, Two Pence.

For every Hundred Pound of Ginger, Ten Shillings.

For every Pound of Indico, One Shilling Six Pence.

For every Pound of Cotton, Three Pence.

For every Gallon of Rum, One Shilling Six Pence.

For

For every Hundred Pound of Cocoa, Ten Shillings.

And ſo proportionably for a greater or leſſer Quantity of the ſeveral Liquors and Goods aforeſaid, imported into this your Majeſty's Iſland by Way of Merchandize; Prize Goods brought into this Iſland, by any Privateers or other lawful Captors, only excepted.

And be it farther enacted by the Authority aforeſaid, That every Merchant or other Perſon Importing any of the Wines or other Liquors aforemention'd into this your Majeſty's Iſland, ſhall, being thereunto required by your Majeſty's Receiver-General, his Deputy or Collector, within Twenty Days after Landing the ſame, make up Accompts and pay, or if exceeding the Sum of Five Pounds give Bond to your Majeſty in the Penalty of double the Value the ſame ſhall amount unto, for the ſure Payment of the Impoſt hereby rais'd; and upon ſuch Accompt ſo to be made up and Bond given as aforeſaid, ſhall be allow'd after the Rate of Ten *per Cent.* for Leakage, and ſhall have Time given him in the ſaid Bonds for Payment of the ſaid Impoſt as is hereafter mention'd; that is to ſay, from the End and

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Expiration of the firſt Two Months, from the making up ſuch Accompts, to pay one Third Part thereof, and another Third Part at the End of the Fourth Month, and the Remainder at the End of the Sixth Month; and that every Hogſhead of Wine or other Liquors, that ſhall not have full Seven Inches or above left therein, and every Butt or Pipe not above Nine Inches, ſhall be accompted for out, and the Merchant or Importer freed and acquitted of and from the Impoſt of the ſame. And in Caſe any Difference ſhall ariſe between the Importer or Maſter of the Veſſel, touching Leakage on Board, and for Wine or Liquors that ſhall happen to ſour within the aforeſaid Twenty Days, the Perſon or Perſons ſo aggrieved ſhall have a Warrant of Survey from the Naval Officer for the Time being, (who is hereby impower'd and requir'd to grant the ſame) and that Returns of ſuch Warrants to be granted as aforeſaid ſhall be made upon Oath to the ſaid Naval Officer, and by him remitted to the Receivers Office, in order to making up their Accompts with the ſaid Receiver, and better proving their Damages by ill Stowage or otherwiſe:

And

And in Caſe any ſuch Maſter or Importer ſhall (being thereunto requir'd as aforeſaid) refuſe to make up his Accompts and to pay or give in Bond as aforeſaid, he ſhall loſe the Benefit of Ten *per Cent.* for Leakage, and Time given for Payment of the Impoſt; and if the Receiver ſhall be forc'd to ſue for the ſame, and ſhall thereupon recover, the Defendant ſhall pay treble Damages.

And it is farther enacted by the Authority aforeſaid, That if at the Entry of any Ship or Veſſel in the Naval Office, it ſhall appear by the Maſter's Report or otherwiſe, that he hath imported any *Madera* Wines, he the ſaid Maſter or the Boatſwain ſhall take the following Oath, which the ſaid Naval Officer is hereby impower'd and requir'd to adminiſter.

I A. B. *do Swear, that the Wines by me Imported were taken on Board at the Iſland of* Madera, *and that I do not directly or indirectly know but that the ſaid Wines are of the Growth of the ſaid Iſland, without any Mixture of the Wines of the Growth of any of the Weſtern Iſlands.* So help me God.

And

And if the ſaid Maſter or Boatſwain ſhall refuſe to take the aboveſaid Oath, that then the ſaid Wines ſo imported, ſhall be deem'd and taken to be Wines of the Growth of the Weſtern-Iſlands, and ſhall pay the Duty or Impoſt accordingly.

And it is farther enacted and declared by the Authority aforeſaid, That if all or any of the aforeſaid Liquors or Goods liable to the Duties aforeſaid, be landed and afterwards exported within Twelve Months after the Importation thereof, that the Receiver ſhall diſcompt or repay unto the Owners or their Aſſigns half the Cuſtoms of the ſaid Liquors and Goods, according to the Rates before-mentioned, which the Receiver, his Deputy or Collector requir'd is to repay or diſcompt, on the Penalty of double the Sum for every ſuch Refuſal to the Party aggriev'd.

And it is likewiſe farther enacted and declar'd by the Authority aforeſaid, That all Ships and Veſſels coming from any Place to the Northward of the Tropick of *Cancer* to Trade within this Iſland, ſhall reſpectively pay for every Ton ſuch Ship or Veſſel ſhall contain, and for every time they arrive, one Pound of good and new

new Gunpowder; and alſo all Ships and Veſſels trading any way to the Southward of the Tropick of *Cancer*, ſhall reſpectively pay for every Ton ſuch Ship or Veſſel ſhall contain, one Pound of good and new Gunpowder once every Year, and no more, for and towards the Uſe of your Majeſty's Forts and Fortifications.

And it is likewiſe farther enacted and ordain'd by the Authority aforeſaid, That the Receiver appointed for the Receipt of ſuch Gunpowder, ſhall receive the ſame in Specie, and not preſume in lieu thereof to receive Money, or any other Conſideration whatſoever, upon Penalty of Twenty Pounds Currant Money of this Iſland for every ſuch Offence.

And it is likewiſe enacted by the Authority aforeſaid, That if any Maſter or Commander of any Ship or Ships, Merchant, Factor, Purſer, Mariner, or any other Perſon whatſoever, without the preſence of the Receiver-General, or his Deputy or Collector, or ſome Perſon appointed by him or them, or notice given to one of them before his or their regular Entry made with the ſaid Receiver, or payment of the Duty, or Security given by Bond as aforeſaid, ſhall after Sun-Set

and

and before Sun-Riſing put on Shoar, or put into any Boat or Veſſel in order to landing any of the Liquors, or any Goods contain'd or mention'd in this Act, with an Intent to defraud her Majeſty of her Cuſtoms for the ſame, the ſaid Liquors and Goods ſhall be Forfeited; two thirds to her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, and the other third Part to the Informer or Seizer, be it the Receiver, Collector, or his or their Agent or Agents, or any other Perſon whatſoever; the ſame to be recover'd by Bill, Plaint or Information in any of her Majeſty's Courts of Records within this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allow'd, or *Non vult ulterius proſequi* enter'd, any thing in this Act or any other to the contrary thereof in any wiſe notwithſtanding. And all manner of Perſons are hereby requir'd to be aiding and aſſiſting to the Receiver, Collector, his or their Agent or Agents, the Informer, Diſcoverer and Seizer of ſuch Liquors and Goods, ſo landed or unladen contrary to the true Intent and Meaning of this Act.

And

And it is hereby farther enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Receiver, Collector, his or their Agent or Agents, the Informer or Diſcoverer, by virtue of a Warrant from the Commander in Chief, or any one of her Majeſty's Juſtices of the Peace to that purpoſe firſt obtain'd, with one Conſtable or more, to ſearch all manner of ſuſpected Houſes, Cellars, Warehouſes and Shops, for ſuch Liquors and Goods, as they or any of them ſhall be inform'd were carry'd or convey'd there to be concealed, in prejudice to the true Meaning of this Act; and ſuch Liquors and Goods ſo found ſhall be forfeited and condemn'd in manner before mention'd; provided that the Search be made within Three Days after Information.

And it is likewiſe farther enacted and ordained by the Authority aforeſaid, That the Receiver-General or Collector, by himſelf or Deputy, ſhall give his Attendance on all working Days at his Office, from Nine to Eleven of the Clock in the Morning, and from Two till Four in the Afternoon, upon Penalty of Twenty Pounds Currant Money of this Iſland for every Default.

And

And be it farther enacted by the Authority aforeſaid, That the Receiver-General or Collector, or his lawful Deputy, ſhall have and detain the Sum of Five Pounds *per Cent.* and ſo *pro Rata*, and no more, both for receiving and paying all Money ariſing, or which ſhall ariſe or come to his Hands by virtue of this Act, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And be it likewiſe enacted and ordain'd by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, within this Iſland, which from henceforwards ſhall have or receive from the Governour or Commander in Chief of this Iſland a Licenſe to ſell and retail any ſtrong Liquors in any Part of this Iſland, ſhall pay to her Majeſty, her Heirs and Succeſſors, yearly, and every Year he ſhall take out or renew the ſame, the Sum of Five Pounds Currant Money of this Iſland; and whoſoever ſhall preſume to ſell by Retail any of the ſtrong Liquors mentioned in this Act, without ſuch Licenſe had and obtain'd as aforeſaid, ſhall forfeit for every ſuch Offence the Sum of Ten Pounds Currant Money of this Iſland.

And

And it is hereby enacted and ordained by the Authority aforeſaid, That if any new Settler or Comer to this Iſland ſhall import into this Iſland any Rum, Sugar, Tobacco, Indico, Cocoa, Ginger or Cotton, by himſelf or any other Perſon or Perſons, for his, her or their better Conveniency in Settling and Planting, and ſhall not only declare his, her or their Intention of the ſame upon Oath before the Receiver or Collector, who is hereby impower'd and requir'd to adminiſter the ſame at the time of Importation, but ſhall likewiſe make the ſame appear within Three Months after his, her or their Arrival by ſome viſible Effect, which he or they ſhall ſhow in Order to it, (and the ſame being ſufficiently prov'd to the ſaid Receiver or Collector) that then and in ſuch Caſe ſuch Goods as aforeſaid ſhall not be chargeable with any Duty or Cuſtom, any thing in this Act to the contrary notwithſtanding. Provided alſo, That it ſhall and may be lawful for any Maſter or Merchant of any Ship or Veſſel to Land or put on Shoar any of the ſaid Goods, without being farther liable to pay any Duty or Cuſtom for any Part or Parcel thereof, more than what he ſhall ſell or diſpoſe of within this Iſland,

any thing in this Act to the contrary notwithſtanding.

And it is farther enacted by the Authority aforeſaid, That as well her Majeſty's Quit-Rents, Fines, Forfeitures and Eſcheats, and every Part and Parcel thereof, ariſing within this her Majeſty's Iſland, as the Impoſt and Revenue hereby granted, or which hereafter ſhall grow and become due by virtue of this Act, or any thing herein contain'd, ſhall be apply'd and appropriated, and are hereby appropriated to the ſupport of the Government of this Iſland and the contingent Charges thereof, and to no other Uſe, Intent or Purpoſe whatſoever; provided always, That this Clauſe nor any thing therein contain'd ſhall extend to be deem'd or conſtrued to extend to take off or leſſen the Prerogative of her Majeſty, her Heirs and Succeſſors, in pardoning and remitting ſuch Fines and Forfeitures as ſhe or they in their great Wiſdom and Clemency ſhall on due Conſideration think fit to pardon and forgive.

And that your Majeſty's Forts and Fortifications within this Iſland may for the future be keep in better Repair, and if your Majeſty in your great Wiſdom ſhall

think

think convenient, other new ones built for the better Defence of this your Majeſty's Iſland, and farther Encouragement of your Subjects to come, ſettle and plant, whereby your Majeſty's Cuſtoms at home may be augmented and improved;

Be it farther enacted by the Authority aforeſaid, That the Sum of One Thouſand Two Hundred Fifty Pounds *per Ann.* ariſing as aforeſaid, be yearly and every Year paid and appropriated unto the repairing, building and rebuilding of your Majeſty's Forts and Fortifications within this Iſland, and to no other Uſe, Intent or Purpoſe whatſoever, and the ſame is hereby appropriated accordingly.

And it is farther enacted by the Authority aforeſaid, That the Collector or the Receiver-General of this Iſland, for the time being, or he that ſhall Officiate in his Room or Stead, ſhall annually out of the Money receiv'd by Virtue of this Act, charge down the aforeſaid One Thouſand Two Hundred and Fifty Pounds ſo as aforeſaid appropriated, to the particular Accompt of your Majeſty's Fortifications, and ſhall keep a diſtinct Book of Accompts for the ſame; which Book of Accompts ſhall be free

and open at all Office Hours for all Perſons to view the ſame, without paying any manner of Fee therefore.

And that ſuch Collector, Receiver-General or his Deputy, ſhall when and as often as thereunto requir'd by the Governour, Council and Aſſembly when ſitting, or to any Committee by them or either of them to be appointed, give in upon Oath (which Oath they are hereby impower'd to adminiſter) a juſt and true Account of the particular Diſburſements out of the ſaid One Thouſand Two Hundred and Fifty Pounds *per Ann.* ſo appropriated as aforeſaid, and alſo for all Money ariſing or that ſhall come into his Hands by Virtue of this Act; and that the ſaid Collector or Receiver-General ſhall with good and ſufficient Security, ſuch as ſhall be approv'd of by the Governour and Council, enter into Bond in the Penalty of Five Thouſand Pounds, which Bond ſhall lie and be recorded in the Secretary's Office, under the Condition hereafter expreſs'd; that is to ſay, the Condition of this Obligation is ſuch, that if the above bounden *A. B.* Collector or Receiver-General, ſhall well and truly Accompt as often as he ſhall be thereunto

requir'd by the Governour for the Time being, and Council, or the Aſſembly of this Iſland when ſitting, or a Committee thereof, for all and every ſuch Sum or Sums of Money which either have or ſhall come into his Hands, either by Virtue of an Act, intitl'd, *An Act for raiſing a publick Impoſt*, made at an Aſſembly held by Prorogation the Twenty Firſt Day of *September*, in the Thirty Fourth Year of the Reign of his late Majeſty King *Charles* the Second, (of bleſſed Memory) or an Act, intitl'd, *An Act for raiſing a publick Revenue for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held by Prorogation the Fifth Day of *September*, in the Thirty Fifth Year of the Reign of his ſaid late Majeſty, or any other Act or Acts whatſoever; as alſo well and truly pay the Sum of One Thouſand Two Hundred and Fifty Pounds Yearly and every Year for and during the Time of a certain Act, intitl'd, *An Act for raiſing a publick Revenue to the King, his Heirs and Succeſſors for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at St. *Jago de la Vega* the Twentieth Day of *July*, in the Fourth Year of the Reign

of the late King *James* the Second; as alſo by Virtue of this preſent Act, by Warrant from the Governour and Council, for and towards the repairing and building Forts and Fortifications, and alſo pay all other Sums of Money according to the Intent and Meaning, and to the Uſes mention'd and directed in the ſaid Act and in this preſent Act; that then this Obligation to be void, otherwiſe to remain in full Force and Virtue.

And in Caſe the Collector or Receiver-General, or his Deputy, ſhall preſume to act in the ſaid Office longer than Twenty Days after the Publication of this Act, before he or they have enter'd into Bond as before requir'd, or ſhall miſapply or pay any Part or Parcel of the One Thouſand Two Hundred and Fifty Pounds ſo apply'd and appropriated as aforeſaid, he or they ſhall for every ſuch Offence forfeit the Sum of Two Thouſand Five Hundred Pounds Currant Money; the one Half whereof ſhall be to our Soveraign Lady the Queen, her Heirs and Succeſſors, for the Support of the Government of this Iſland, to be laid out upon the Fortifications; and the other Half to him

him or them who ſhall ſue for the ſame, in any Court of Record within this Iſland, where no Eſſoign, Protection, Injunction, Wager of Law or *Non vult ulterius proſequi* ſhall be admitted or allow'd, any Thing in this Act or any other ſeeming to the contrary notwithſtanding. And that the ſaid Collector or Receiver or his Deputy ſhall not at any time hereafter, upon any Pretence whatſoever, pay the ſaid One Thouſand Two Hundred and Fifty Pounds *per Ann.* or any Part or Parcel thereof, or any other Sum or Sums of Money whatſoever, ariſing from the Quit-Rents, or by Virtue of this Act appropriated, unleſs he or they ſhall firſt have and receive for his or their Authority a Warrant under the Hand and Seal of the Governour or Commander in Chief for the Time being, with the Advice and Conſent of the Council, expreſſing the Sum to be paid, and the End and Purpoſe whereunto the Sum is or ſhall be apply'd, with a particular Accompt thereunto annex'd, manifeſting for what the ſaid Money became due to the Perſon to whom it is payable; and in Caſe the Collector or Receiver-General or his Deputy ſhall, contrary to the true In-

tent and Meaning hereof, pay any Sum or Sums of Money whatſoever, or if any other Perſon or Perſons whatſoever ſhall miſapply any of the Monies ſo as aforeſaid appropriated, contrary to the true Intent and Meaning of this Act, the Offender or Offenders ſhall forfeit and pay treble the Sum by him or them ſo paid or miſapply'd.

And be it farther enacted by the Authority aforeſaid, That all Forfeitures and Penalties mention'd in this Act, and not declar'd how they ſhall be diſpos'd of, and in what manner to be recover'd, ſhall be one Half to our Soveraign Lady the Queen, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, and the other Half to the Informer; to be recover'd by Bill, Plaint or Information in any Court of Record, wherein no Eſſoign, Protection, Wager of Law, *Non Vult ulterius proſiqui* or Injunction ſhall be allow'd, any Thing in this Act or any other to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That all and every the Laws of *Jamaica* confirm'd in Council by his Majeſty King *Charles* the Second,

on

on the Seventeenth of *April*, 1684. for the Space of Twenty One Years, and not heretofore or hereby repeal'd, and alſo this Act and all and every Clauſe or Clauſes therein contain'd, ſhall be and are hereby declar'd to be continu'd and remain in Force for the Space of Twenty One Years, to commence from the firſt Day of *October* in this preſent Year 1703. any Thing in this or any other Act contain'd to the contrary in any wiſe notwithſtanding.

And be it farther enacted and ordained by the Authority aforeſaid, That from and after the Paſſing this Act, an Act intitl'd, *An Act for raiſing a publick Revenue for the Support of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at the Town of St. *Jago de la Vega*, by ſeveral Prorogations the Fifth Day of *September*, *Anno Domini* 1683. in the Thirty Fifth Year of the Reign of his late Majeſty King *Charles* the Second, (of Bleſſed Memory) and alſo an Act, entitled, *An Act for raiſing a publick Revenue to the King, his Heirs and Succeſſors, for the ſupport of the Government of this his Majeſty's Iſland*, made at an Aſſembly held at the Town of St. *Jago de la Vega*, upon the Twentieth Day of *July*,

*ly, Anno Domini* 1688, in the Fourth Year of his late Majeſty King *James* the Second, and all and every Clauſe and Clauſes in each or either of them contain'd, be and are hereby repealed to all Intents and Purpoſes whatſoever, as if the ſaid Acts or either of them had never been made, any thing in the ſaid Acts contain'd to the contrary in any wiſe notwithſtanding.

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## An ACT

### *To Encourage the Importation of White Men.*

WHereas the Importing of White Servants will very much conduce to the Security and Advantage of this your Majeſty's Iſland; and to the Intent that due Care may be taken and Encouragement given to all Maſters and Owners of Ships and Veſſels, and others who ſhall Import Servants, either for the diſpoſing of and paying for the ſame, and defraying ſuch Charges as may or ſhall ariſe, accrue or become due by this Act; we your Majeſty's moſt Dutiful and Loyal Sub-

Subjects the Aſſembly of this your Majeſty's Iſland of *Jamaica*, do humbly beſeech your Majeſty that it may be enacted, and be it enacted by your Majeſty's Lieutenant-Governour, Council and Aſſembly, That a Sum of Money not exceeding Five Hundred Pounds, being Part of a Fund ariſing by an Act, entitled, *An Act for raiſing an Additional Duty and Impoſt*, or which hereafter ſhall ariſe by virtue of an Act, entitled, *An Act for raiſing and appropriating an Additional Duty and Impoſt*, together with the ſeveral Sums herein after named, be and is hereby appropriated for the Uſes within this Act mentioned; and that every Maſter and Owner of Slaves may have their due proportion of White Servant-Men according to their Number of Slaves, (that is to ſay) for their firſt Ten Slaves, Old and Young, one White Servant-Man; and for their firſt Twenty Slaves, Old and Young, two White Servant-Men; and one White Servant-Man for every Twenty Slaves after the firſt, to be reſident in the Plantation where ſuch Slaves are employed; and all Perſons having or that ſhall have Neat Cattle, Horſes, Mules or Aſſinagoes, ſhall for the firſt Sixty have one White Servant-Man, and one for every

every Hundred after the firſt Sixty, to be reſident where ſuch Stock are or ſhall be kept, under the Penalty of Forfeiting Forty Shillings for every refuſal of ſuch Servant as ſhall be placed by the Collector or Receiver-General, in purſuance of this Act; and all Boats, Wherries and Canoes that ply within the Harbour of *Kingſton*, *Paſſage Fort* or *Port Charles*, ſhall in every ſuch Boat, Wherry or Canoe, be oblig'd to keep one White Man, qualify'd to bear Arms, to be employed in the ſaid Boat, Wherry or Canoe, under the Penalty of forfeiting Forty Shillings *per* Month Currant Money of this Iſland as aforeſaid: And it ſhall and may be lawful for the Juſtice or Juſtices of the Pariſh where ſuch Offence ſhall be commited, to Iſſue forth his or their Warrant or Warrants to the Conſtable or Conſtables, to diſtrain upon any ſuch Boat, Wherry or Canoe, (altho' it be in time of Martial Law) and expoſe them to ſale by publick Outcry in the Pariſh where the Offence ſhall be committed; but if the Maſter or Owner of any Boat, Wherry, or Canoe will Ply or Work in his ſaid Boat, Wherry or Canoe, he ſhall be deemed, taken and eſteemed to all Intents and Purpoſes in lieu and inſtead of a White Servant, any

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Law, Cuſtom or Uſage to the contrary notwithſtanding. And to prevent all Frauds that may be committed by any Owners or Plyers of Wherries, Canoes or Boats as aforeſaid, be it farther enacted, That within Ten Days after the paſſing of this Act, no Boat, Wherry or Canoe do or ſhall Ply in the Harbour of *Kingſton*, *Paſſage-Fort*, or *Port Charles*, until the ſaid Boat, Wherry or Canoe be Numbered; and the Boat, Wherry or Canoe, and Number, with the Name of the Owner thereof, be firſt Regiſtred in her Majeſty's Naval Office, and the Number, with the Sirname of the Owner or Owners, wrote at Length, be placed upon the upper Part of the Outſide of the Stern of the ſaid Boat, Wherry or Canoe, and on no other Part, in large and plain Letters and Figures, upon the Penalty of Forty Shillings for each and every Offence; which Number the Naval Officer is hereby required, under Penalty of Forty Shillings, to Regiſter, with the Name of the Owner or Owners, in Order as they come, and deliver in Writing the Number to be placed on the ſaid Boat, Wherry or Canoe, and receive for his Fee Two Shillings and Sixpence, and no more. And be it farther enacted by the

the Authority aforeſaid, That no Merchant, Maſter or Importer of White Servants, ſhall preſume to Bargain or Sell any Servant or Servants within Six Days after their Arrival, under the Penalty of forfeiting one Hundred Pounds Currant Money of this Iſland, for every Servant ſo diſpoſed of. And to the Intent that all due Encouragement may be given to all Merchants and other Importers as aforeſaid, if any Servant or Servants remain undiſpoſed of for the ſpace of Seven Days after the Expiration of the time aforeſaid, that then and in ſuch Caſe, the Merchant, Maſter or Importer of ſuch Servants, may give a Liſt of the ſaid Servants to the Collector, Receiver General, or his lawful Deputy, who is hereby obliged to take and receive the ſaid Servants, paying to the ſaid Importer if in time of War the Sum of Eighteen Pounds Currant Money of this Iſland *per* Head, and in time of Peace Fourteen Pounds *per* Head, provided ſuch Servant or Servants be *Engliſh*, *Scots*, *Welſh*, or of the Iſlands of *Jerſey*, *Guernſey*, or *Man*; and for all *Iriſh* Servants the Sum of Fifteen Pounds *per* Head in time of War, and Twelve Pounds in time of Peace; Provided alſo that all ſuch Servants be not under

under the Age of Fifteen, and not above the Age of Forty Years; and that no Convicts, *Jews*, *Quakers*, ſick, decriped or diſabled Perſons be within the Conſtruction of this Act; and the Collector or Receiver-General receiving ſuch Servants, ſhall forthwith ſend the ſame to the *Cuſtos Rotulorum*, or in his Abſence to any two Juſtices of the Peace, one being of the *Quorum*, of the Pariſh or Precinct where the greater Deficiencies are, in proportion to Slaves. And to the Intent that the Collector or Receiver-General may be duly informed of the Deficiencies of each Pariſh or Precinct, be it farther enacted by the Authority aforeſaid, That all Perſons, by themſelves or Overſeers, are hereby obliged once every Six Months, under the Penalty of Ten Pounds for each and every Offence, to give an Account upon Oath to the Juſtices in Seſſions, or where no Seſſions are to any two Juſtices, the Number of their Slaves, and Cattle, and Servants hired for the ſpace of Six Months, that the *Cuſtos Rotulorum* or two Juſtices, whereof one to be of the *Quorum*, do forthwith ſend a Liſt of the Deficiencies to the Collector or Receiver-General, under the Penalty of Fifty Pounds Currant Money of this Iſland, that upon the Arrival

rival of Servants he may ſupply the Deficiencies in each Precinct: And the *Cuſtos Rotulorum*, or in his Abſence any two Juſtices as aforeſaid, receiving the ſame, ſhall proportion, value and allot them to the ſeveral Perſons within their Pariſhes or Precincts, as they in their Diſcretion ſhall Judge; provided that ſuch Sums do not in the whole exceed the Rates within this Act aforementioned; and all Sum or Sums of Money from thence ariſing, ſhall be by the Conſtable or Conſtables, within two Months after ſuch Allotment made, be collected, gathered and pay'd to the *Cuſtos Rotulorum*, or two Juſtices of the Peace as aforeſaid, who receiving the ſame, ſhall within Fourteen Days, under Penalty of one Hundred Pounds Currant Money, remit it to the Collector, Receiver-General or his Lawful Deputy, to reimburſe the Monies by him ſo laid out; and if any Perſon or Perſons do not within the time appointed pay the Sum or Sums aforeſaid, altho' it be in time of Martial Law, the ſame ſhall be recovered by Warrant from any of her Majeſty's Juſtices of the Peace, as alſo all Debts contracted for any Servant or Servants, ſold within this Iſland, in the ſame manner as is provided in the Act,

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empowering the Juſtices of the Peace, to decide differences not exceeding Forty Shillings, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding. And the Collector or Receiver-General, or his lawful Deputy, ſhall be allowed at the Rate of Two and Half *per Cent.* for the receiving and paying all ſuch Sum or Sums of Money, as he ſhall receive or pay by virtue of this Act, and the Charges he ſhall be at in the Execution of the ſame. And be it farther enacted by the Authority aforeſaid, That all Perſons whatſoever, who ſhall hereafter purchaſe or buy any Perſon, or cauſe to be bought or purchaſed any White Servant or Servants, to fill up their Deficiencies, ſhall and are hereby required to give upon Oath (which Oath the Collector or Receiver-General is hereby impowered and required to adminiſter) an Account of the ſame, and in what Pariſh he intends to place them, upon Penalty of forfeiting Twenty Pounds for each Servant bought or purchaſed, to be recovered by Action of Debt in any Court of Record within this Iſland. And be it farther enacted, That if the Collector or Receiver-General ſhall at any time ſend to any Pariſh more White Servants

than are needful for the filling up the Deficiencies, ſuch Pariſh ſhall and is hereby obliged to receive, keep and maintain the ſame at the Charge of the ſaid Pariſh for the ſpace of ten Days, that the Collector or Receiver-General may aſſign them to ſome other Part, as alſo all Charges of Paſſage and Travel to and from the ſaid Pariſh; and upon the refuſal ſo to do, ſhall forfeit the Sum of one Hundred Pounds. And be it farther enacted by the Authority aforeſaid, That all *Jews*, that are or ſhall be hereafter Maſters or Owners of Slaves within this Iſland, ſhall ſupply their Deficiencies by their own Nation, or by hired White Chriſtian Men, and not by indented Chriſtian Servants, under the Penalty of Five Hundred Pounds Currant Money of this Iſland. And be it farther enacted, for the greater Encouragement of all Maſters of Ships or Veſſels, that ſhall import to this Iſland Thirty White Men Servants as aforeſaid, and due Proof upon Oath made thereof before the Naval Officer, who is hereby impowered and required to adminiſter the ſame, ſhall for that Voyage be altogether freed and exempted from paying any Port Charges for the ſaid Ship or Veſſel wherein the ſaid Servants are imported,

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any Law, Cuſtom or Uſage to the contrary notwithſtanding. And be it farther enacted by the Authority aforeſaid, That an Act of this Iſland, entitled, *An Act for Encouraging of the Importation of White Servants*, confirmed in Council by his late Majeſty King *Charles* the Second, the Seventeenth Day of *April*, one Thouſand Six Hundred Eighty and Four, and every Clauſe and Clauſes therein contained, be and are hereby repealed, annulled, and made void to all Intents and Purpoſes, any Law, Cuſtom or Uſage to the contrary notwithſtanding, And be it farther enacted by the Authority aforeſaid, That the ſeveral Fines, Forfeitures, and Penalties beforementioned in this Act, and not declared where they ſhall be recovered, or how diſpoſed of, ſhall be one Half to the Uſes in this Act mentioned, and the other Half to the Informer, who ſhall ſue for the ſame, to be recovered (if not exceeding Forty Shillings) before any Juſtice of the Peace; if above Forty Shillings in any Court of Record within this Iſland, where no Eſſoign, Protection or Wager of Law ſhall be allowed, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

## An ACT

*For Aſcertaining, Eſtabliſhing and more ſpeedy Collecting her Majeſty's Quit-Rents.*

BE it enacted and ordained by her Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted by the Authority of the ſame, That a Patent ſealed under the Great Seal of this Iſland, and Recorded in the Office of Enrolments eſtabliſh'd in this Iſland, ſhall Evidence the Patentee or Patentees juſt Right and Title to all and every Parcel of Lands, Houſe or Houſes, Tenements or other Things in the ſaid Patent granted, and be a good Bar to the Right and Title of her Majeſty, her Heirs and Succeſſors; and to the End her Majeſty's Grants may not be hindred, delay'd or obſtructed, the Keeper of the Seal or Chancellor for the Time being, ſhall and is hereby obliged the next *Tueſday* before each Grand Court, to cauſe all ſuch Grants and Patents as are in Office to be ſealed at *St. Jago de la Vega*, and all inferiour Officers, who are

are concerned in Drawing and Paſſing the ſame, are then and there likewiſe to be ready to do their Duty.

And foraſmuch as all Titles of Land are derived from her Majeſty and her Royal Predeceſſors, and the Land hath been laid out and the Patents made by her Majeſty and her Predeceſſors Officers, in which many Errors or Miſtakes may have happen'd, which according to the ſtrict Rules of Law might make many Grants void in all or in part; Be it therefore enacted by the Authority aforeſaid, That all Lands already granted under the Broad Seal of this Iſland, or hereafter to be granted by her Majeſty, her Heirs or Succeſſors, upon Surveys made or to be made, be for ever good to the Patentee, and to thoſe to whom the Right of the Patentee ſhall come, for all Lands compriz'd within the Survey or Bounds, any Miſnomer, Miſbounding, or Miſtaking of Quantity, or other Error notwithſtanding, againſt her Majeſty, her Heirs and Succeſſors, or any other Perſon or Perſons claiming under her or them for ever; and that all ſuch Grants ſhall be taken as ſtrongly againſt her Majeſty, her Heirs and Succeſſors, as the Grants of any other Per-

ſon or Perſons ſhou'd or ought to be taken againſt him or them, or his or their Heirs or Aſſigns.

Provided nevertheleſs, and be it farther enacted by the Authority aforeſaid, That where either her Majeſty or the Patentee are aggrieved by Miſtake in Quantity, a Reſurvey ſhall be made by One Surveyor indifferently Sworn between the Queen and Patentee or who claimeth in his Right, before any of her Majeſty's Juſtices of the Peace; upon which Reſurvey a Confirmation of the former Grant ſhall iſſue under the Broad Seal of this Iſland, reciting the Error, and reſerving for the future the ſame Rent mention'd in the ſaid Grant according to the juſt Quantity found by ſuch Reſurvey; for which Confirmation the Chancellor ſhall receive 10 *s.* and the Clerk of the Patents 8 *s.* and no more, to be paid as all other Charges of the ſaid Reſurvey by the Party requiring the ſame; but no Retroſpect ſhall be had to what Rent ought to have been paid, be the Quantity more or leſs, any Thing in this Act contained to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That if any Diſpute

ſhall

ſhall ever ariſe upon any Survey wherein the Survey or Plat given into the Patent-Office ſhall vary from the real run and marked Lines, in all ſuch Diſputes the Judges before whom the ſame ſhall happen ſhall adjudge the real run and marked Lines, which are proved before them to be run and marked, to be the Bounds of the Lands granted, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And whereas there have been Uncertainties and Diſputes in the Payment of her Majeſty's Quit-Rents reſerved in the Patents formerly granted, by Reaſon of the Words *Manured* and *Planted*; and whereas her Majeſty hath been, and now is graciouſly pleaſed that whatſoever ſhall ariſe from the Quit-Rents ſhall be apply'd towards the Support of the Government and defraying the contingent Charges of this Iſland; in conſideration whereof and to aſcertain the ſame, be it enacted and ordained by the Authority aforeſaid, That every Parcel or Parcels of Land, of what Nature and Quality ſoever, granted and patented before the 25th Day of *June*, 1671. ſhall for Arrears and Growing Rents pay for every Thirty Acres Annually the Sum of 1 *s.*

and ſo proportionably for every Parcel under 100 Acres, and for every 100 Acres 2 *s.* 6 *d.* and proportionably for a greater Quantity; and for all Lands of what Quantity ſoever, from the aforeſaid Time to the 12th of *March*, 1674, or that ſhall hereafter be granted, ſhall pay One Half-Penny *per* Acre, and ſo proportionably for a greater Quantity, and for Foot-Land One Half-Penny *per* Foot for Two Sides of the Square added together, and ſo proportionably for a greater or leſſer Quantity, as a certain eſtabliſhed Quit-Rent and Acknowledgment to her Majeſty, her Heirs and Succeſſors for ever, any Law, Cuſtom or Uſage or any thing contained in the ſaid Patents to the contrary notwithſtanding,

And for the more ſpeedy and eaſy Collecting of the ſaid Quit-Rents, be it farther enacted by the Authority aforeſaid, That the Collector or Receiver of the Quit-Rents, or his lawful Deputy, ſhall twice every Year, *viz.* at the Feaſts of St. *Michael* the Arch-Angel and of the Annunciation of the Bleſſed Virgin *Mary*, keep an Office in the Town of St. *Jago de la Vega*, in the Pariſh of St. *Catherines*, and in the Town of *Kingſton*, during the ſpace of one Month at each Place, and then

then and there to receive the Quit-Rents from the Perſons concerned; which ſaid Office he ſhall attend from the Hours of Eight to Eleven in the Forenoon, and from the Hours of Two to Five in the Afternoon, and upon the receipt of her Majeſty's Quit-Rents, thereof to acquit and diſcharge all Perſons.

And whereas on the Seventh of *June* 1692. there happen'd a dreadful Earthquake, wherein the Receiver General loſt the Books of Accompts, and all Papers relating to the Quit-Rents and his Office then kept at *Port-Royal*; as alſo the Owners and Proprietors of Lands by that Calamity, and the Ravage, Spoil and Devaſtation made by the Enemy ſoon after, many Patents, Deeds, Evidences and Receipts belonging to the Inhabitants of this Iſland were burnt and deſtroy'd, whereby the Receivers of her Majeſty's Quit-Rents have ſince from time to time been rendered incapable of doing their Duty in Collecting the Quit Rents, as the Act required; to prevent ſo great an inconveniency and hardſhip that has attended this Iſland ſince that time for want of Money upon all Occaſions, not only to defray the contingent Charges, but alſo to enable the Treaſury upon any Emergency

gency to ſupply and furniſh the Country with Money, without Impoſing heavy and burthenſome Taxes upon the Inhabitants, eſpecially in time of War, wherein often the Deſign is fruſtrated before Money to be raiſed for the purpoſe can be collected; and fully to enable the Collector, the Receiver-General and his Deputy to make and ſtate a juſt and true Accompt of her Majeſty's Quit-Rents, and to indemnify and diſcharge all Patentees, Owners or Proprietors of Lands chargeable with Quit-Rents, from all their Quit-Rents and Arrearages of Quit-Rents, become due and payable at or before the Feaſt of St. *Michael* the Arch-Angel, in the Year of our Lord 1692, and that ſo great a Branch of the Revenue may be duly and punctually paid and apply'd from time to time, and at all times hereafter at the uſual times mentioned in the Letters Patents for paying the ſame, and in caſe of any Failure and Default of the payment of the ſaid Quit-Rents ſo reſerved in Letters Patents, at the uſual times in the ſaid Grants mentioned and reſerved; and fully to empower and enable the Receiver-General, his Deputy and other Officers, to proceed and proſecute ſuch Offenders as the Laws in ſuch Caſes do direct,

direct, be it farther enacted by the Lieutenant-Governour, Council, and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That all Sum and Sums of Money that were due for Quit-Rents in this Iſland on or before the Feaſt of St. *Michael* the Arch-Angel, in the Year of our Lord 1692, from any Perſon or Perſons whatſoever, be and are hereby acquitted, releaſed and diſcharged, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That all Perſons reſiding in this Iſland, by themſelves, Agents, Factors, Attorneys or other Perſons, ſhall repair to the Town of St. *Jago de la Vega* or *Kingſton*, at or before the firſt Day of *February*, in this preſent Year 1703, and then and there Accompt with the Receiver-General, or his Deputy or Deputies, for all Sum or Sums become due and payable for their Quit-Rents until the Feaſt of St. *Michael* the Arch-Angel, in this preſent Year 1703, and pay or give ſecurity to pay the ſame at or before the firſt Day of *May* next, in the Year 1704, after the making up ſuch Accompt; and the Receiver-General or his Deputy ſhall, on demand, give a Certificate unto ſuch

Perſon

Perſon or Perſons, that he, ſhe or they have ſo accompted, paid, or given in ſecurity to pay at or before the ſaid firſt Day of *May* next, all ſuch Sum and Sums of Money due from him, her or them, for their and each of their Quit-Rents, and Arrearages of Quit-Rents, to the Feaſt of St. *Michael* the Arch-Angel in this preſent Year 1703, as aforeſaid; for which the Receiver-General or his Deputy ſhall take Two Shillings and Sixpence as a Fee for the ſame, and no more, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted and ordained by the Authority aforeſaid, That all Perſons that do not inhabit and reſide within this Iſland, and are poſſeſſed and hold any Land or Lands within the ſame, and have no Effects whereon her Majeſty may diſtrain for the Quit-Rents due for the ſame in this Iſland, every ſuch Perſon or Perſons are hereby required and obliged, by themſelves, Agent or Attorny, within Eighteen Months after the firſt Day of *February*, in the Year of our Lord 1703, to Accompt with the Receiver-General for the time being, or his Deputy, and pay all ſuch Sum or Sums of Money, as ſhall be found due to her Majeſty for Quit-

Rents

Rents ſince the Feaſt of St *Michael* the Arch-Angel, in the Year 1692, under the Penalty of forfeiting the ſaid Land or Lands; and in Caſe at the Expiration of the ſaid Term of Eighteen Months after the ſaid firſt Day of *February*, in this preſent Year 1703, the ſaid Owner or Poſſeſſor do not by himſelf, Agent, Attorny or other Perſon, Accompt and pay as by this Act is required, that then the Provoſt-Marſhal General of this Iſland, or his Deputy, is hereby authorized and required to make Proclamation of the ſame, in the Supream Court of Judicature held at the Town of St. *Jago de la Vega*, the two next Courts after ſuch Failure and Forfeiture, and Judgment ſhall be affirmed to her Majeſty, her Heirs and Succeſſors, and the Provoſt-Marſhal or his Deputy is hereby required and empowered to ſeize the ſame accordingly: and then and from thenceforth the ſaid Land or Lands as aforeſaid, ſhall be veſted in our Sovereign Lady the Queen, her Heirs and Succeſſors, and ſhall be a perpetual Bar againſt any former Patent, Grant or Claim whatſoever; and that then it ſhall and may be lawful for the Governour or Commander in Chief of this Iſland for the time being, by Letters Patents under the

the Broad Seal of this Iſland, to grant the ſaid forfeited Land or Lands to any Perſon or Perſons whatſoever, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That all and every Owner or Proprietor of Land within this Iſland ſhall and are hereby impowered to reſign and ſurrender anywhole Tract or Parcel of Land or Lands, or Grants they now hold ſeized in Fee Simple in their own proper Right, into the Hands of her Majeſty, or her Heirs or Succeſſors; which Surrender ſhall be made by delivery up into the Hands of the Clerk of the *Chancery* for the time being all ſuch Patents, Grants and Evidences, whereby they have held the ſame, or by certifying the Records thereof; and the Clerk of the *Chancery* is hereby required and empowered to accept and receive the ſame, and upon receipt thereof to give a Certificate under his Hand unto the Perſon or Perſons Surrendering as aforeſaid; in which ſhall be expreſſed the Date of the Grant, the Quantity of the Land or Lands, the Pariſh it lies in, and the Bounds of the ſame; which being duly acknowledged by the Clerk of the *Chancery* before the

the Governour or Commander in Chief for the time being, or before ſome one of the Judges of the Supream Court of Judicature of this Iſland, and Record thereof made in the Secretary's Office of Enrolments, ſhall be deemed and taken as a Total Reſignation and Surrender of ſuch Grant or Patent, and the Perſon or Perſons Surrendering in manner aforeſaid, ſhall be acquitted and diſcharged from all Quit-Rents reſerved for the ſame, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That after ſuch Surrender of any whole Parcel or Tract of Land or Lands as aforeſaid, that it ſhall and may be lawful for the Governour or Commander in Chief for the time being, by Letters Patents under the Broad Seal of this Iſland, to grant the ſame to any Perſon or Perſons whatſoever; and that the Clerk of the *Chancery* have and receive as a Fee for his Certificate and Acknowledgment the Sum of Five Shillings for every Parcel of Land ſo Reſigned and Surrendered, and the Secretary the Sum of Five Shillings for the Recording the ſame; provided always, that ſuch Land or Lands ſo to be Surrendered are at the time of the

the Surrender and Reſignation free and clear of and from all former and other Gifts, Grants, Mortgages, Intails and Incumbrances whatſoever.

And be it farther enacted by the Authority aforeſaid, That all and every Perſon or Perſons, Owners or Proprietors of Land within this Iſland, that ſhall not by themſelves, Factor, Attorny or other Perſon, repair to the Receiver-General's Office for that Purpoſe, to be duly and conſtantly kept at the Towns of St. *Jago de la Vega* and *Kingſton*, at the uſual Office Hours, from the time of the paſſing of this Act until the firſt Day of *May* next in the Year 1704, and then and there duly Accompt with the Collector or Receiver-General or his Deputy or Deputies, and pay or give Security to pay at or before the ſaid firſt Day of *May* in the Year 1704, all his, her or their Quit-Rents and Arrearages of Quit-Rents at that time due, for all and every the Lands they hold and poſſeſs, from the ſaid Feaſt of St. *Michael* the Arch-Angel in the Year of our Lord 1692, all and every Perſon ſo refuſing or neglecting the ſame, ſhall be wholly excluded and barred from any Benefit and Advantage by this Act; and the Collector or Receiver-General or his Deputy

Deputy ſhall and are hereby required to make enquiry after all ſuch Perſons ſo refuſing or neglecting to Accompt as aforeſaid, and inform her Majeſty's Attorney-General, that due proceſs may be iſſued out againſt ſuch Offender or Offenders as the Law in ſuch Caſes requires, for the recovery of all her Majeſty's Quit-Rents and Arrearages of Quit-Rents due from the date of each Patent.

And be it farther enacted by the Authority aforeſaid, That all and every Truſtee or Guardian to any Owner or Proprietor of Land within this Iſland, being an Infant, ſhall and are hereby required at or before the ſaid firſt Day of *May* in the Year 1704, to repair to the Receiver-General's Office, and there Accompt and pay the Quit-Rents due for every ſuch Infant's Land under his her or their Charge, on the Penalty of one Hundred Pounds Currant Money, unleſs the ſaid Truſtee or Guardian ſhall from time to time make Oath, (which Oath the ſaid Collector, Receiver-General or Deputy, have Power, and are hereby required to adminiſter) that he hath not Effects in his Hands enough to pay the ſame; which ſhall be ſufficient for that time to excuſe the ſaid Guardian

or Truſtee, and hinder and ſtop any farther proceſs until the ſaid Infant or Infants come to Age themſelves.

And be it farther enacted by the Authority aforeſaid, That for the more ready collecting her Majeſty's Quit-Rents from henceforth becoming due and payable, all Owners and Proprietors of Land within this Iſland, that ſhall hereafter alien, ſell or convey any part or parcel of Land to any Perſon whatſoever, the ſaid Buyer and Purchaſer of ſuch Land ſhall and is hereby required within the ſpace, of three Months after any ſuch Alienation Sale or Conveyance, to give an Account of the ſame to the Receiver-General or his Deputy in writing, expreſſing his own Name, the Name of the Pariſh, Quantity of Land, and the Perſon of whom he purchaſed the ſame, and the Bounds thereof reſpectively, to the intent the Receiver-General may know upon whom the Quit-Rents from that time become due and payable, under the Penalty that ſuch Purchaſer forfeit the Sum of Ten Pounds for each neglect; and the Collector, Receiver-General or Deputy ſhall keep a Book for that Purpoſe, and enter the ſame accordingly, for which he ſhall receive as a Fee the Sum of Five Shillings and no more. And

And be it farther enacted by the Authority aforeſaid, That all Bills of Sale and Conveyances whatſoever heretofore made and recorded, or ſuch as ſhall be made hereafter by any Perſons out of this Iſland, either by Husband and Wife or by any ſingle Perſon, who by Law may make any ſuch Sale or Conveyance, and acknowledged before the Lord Mayor of *London*, or any Lord Mayor or Mayor of any other City within the Kingdoms of *England* and *Ireland*, or before the Governour or Governours of any of her Majeſty's Iſlands or Colonies for the time being, and duly recorded in this Iſland, ſhall be good and valid in Law againſt all Perſons whatſoever, that can or may claim any manner of Eſtate in the Lands, Tenements or Premiſes ſo conveyed or to be conveyed, as fully to all Intents and Purpoſes as any Lands or Tenements in *England* might be paſſed by Fine and Recovery duly levied and executed in any of her Majeſty's Courts in *Weſtminſter*.

And be it farther enacted by the Authority aforeſaid, That a Duplicate of all her Majeſty's Books of Quit-Rents, Impoſt, Fines and Forfeitures, and other Branches of her Majeſty's Revenue, ſhall

be kept in the Town of St. *Jago de la Vega*, to prevent any future Accident, and for the better ſecurity thereof, for which the Receiver-General or his Deputy ſhall take ſuch Fee only as is allowed him in this Act and the Act of Revenue, and no more, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That the Receiver-General and his Deputy and Deputies, her Majeſty's Attorney-General, the Provoſt-Marſhal General and his Deputy, the Clerk of the *Chancery*, and all other Officers, and each of them reſpectively for the time being, that ſhall neglect his or their Duty in the execution of the Truſt and Office hereby required and repoſed in each of them reſpectively, according to the true Intent and Meaning of this Act, each Perſon ſo offending ſhall forfeit the Sum of Five Hundred Pounds Currant Money of this Iſland for every ſuch Offence; all which Fines and Forfeitures in this Act mentioned, ſhall be one half to our Sovereign Lady the Queen, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland, and the contingent Charges thereof, and the other half to the Informer, or him or them

them that ſhall ſue for the ſame, in the Supream Court of Judicature, where no Eſſoign, Protection or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* ſhall be entred, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

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## An ACT

*To prohibit the keeping of any Quantities of Gun-powder on* Port-Royal; *and for the better regulating and ſecurity of the ſaid Town; and to enable the Freeholders to chooſe Church-Wardens, Veſtry-Men and other parochial Officers, altho' the time for chooſing thereof be elapſed already.*

WHereas it has been found by fatal Experience, that permitting of Gun-Powder in great Quantities upon *Port-Royal*, and the covering the Houſes with Shingles brought from the Northward, was in great Meaſure the Occa-

ſion of the deſtruction of the ſaid Place by the late dreadful Fire; For the prevention whereof for the future, be it enacted by your Majeſty's Lieutenant-Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That from and after the firſt Day of *July*, 1704. no Perſon or Perſons ſhall preſume to keep any Quantity or Quantities of Gun-Powder, exceeding Four Pounds for each White Man, in each reſpective Family, except Retailers of Gun-Powder, who ſhall be permitted to keep the Quantity of one Barrel and no more at one time; which ſaid Powder ſhall be kept in the uppermoſt Room in the Houſe of ſuch Retailer or Retailers; and in Caſe there be no upper Room, then in ſome Loft or other Place near the Roof of ſuch Houſe, to be for that Purpoſe erected. And if any Perſon or Perſons ſhall keep in any Houſe or Houſes any greater Quantity of Gun-Powder than what is preſcribed and allotted, every Perſon and Perſons ſo offending contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence forfeit not only the ſaid Powder, but the Sum of Ten Pounds, to be recovered by Bill, Plaint or Information, in any

any Court of Record within this Iſland; one Moyety whereof ſhall be paid to the Church-Wardens for the time being of the ſaid Pariſh, for the Uſe of the Poor thereof, and the other Moyety to the Informer, or any other Perſon that will ſue for the ſame, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* enter'd, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

And whereas the Shingling of Houſes with Shingles brought from the Northward, is found by Experience to be very dangerous, be it farther enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever, from and after the ſaid firſt Day of *July*, ſhall cover any Houſe, Shed, Out-Houſe or any other Buildings with any Shingles brought from the Northward, or with any other Shingles, ſave what are made in this Iſland, under the Penalty of one Hundred Pounds Currant Money of this Iſland, beſides the Forfeiture thereof; one Moyety whereof ſhall be paid to the Church-Wardens for the time being of the ſaid Pariſh, for the Uſe of the Poor thereof, as aforeſaid, and the other Moyety to the Informer,

or any other Perſons that ſhall ſue for the ſame, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And whereas for the ſecurity of the ſaid Town, the Church-Wardens and Veſtry for the time being may find it neceſſary, that all Powder, Pitch, Tar, Rozin, Brimſtone, Turpentine, Cordage, and all other combuſtible Matters, together with all Lumber, and Perſons Trading therein, or making Uſe of Fire, ſhould be removed thereout and kept at the Tan-Houſe, or ſome other convenient Place adjoining thereunto; to the Intent therefore that all and every ſuch Perſon and Perſons may have a convenient Place allotted for the carrying on of their reſpective Trades and Imployments, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Juſtices and Veſtry for the time being to demiſe, let and ſet to all and every Perſon and Perſons trading in all or any ſuch Commodities, all and every ſuch Quantity and Quantities of Ground at or near the Tan-Houſe, or any other Place adjacent thereunto within the ſaid Pariſh, as the Church-Wardens and Veſtry ſhall judge neceſſary and convenient, at and under ſuch yearly

yearly and other Rents, Reſervations, Limitations, Reſtrictions, and other Covenants, and for any Number of Years not exceeding Twenty One, as the ſaid Church Wardens and Veſtry for the time being, or a Majority thereof, and ſuch Leſſee or Leſſees ſhall agree upon.

And it is hereby enacted and declared, That all and every ſuch Leaſe or Leaſes, Demiſe and Demiſes, to be made and executed by the ſaid Juſtices and Veſtry, or the major Part of them, purſuant to the true Intent and Meaning hereof, ſhall be good and valid in Law to all Intents and Purpoſes, to convey the Lands and Tenements to be mentioned and contained in ſuch Leaſe or Leaſes, for the time and term to be therein limited, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And for the farther ſecurity and regulation of the ſaid Town, and preventing of Fire therein, be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Juſtices and Veſtry, when and as often as they meet, to make, conſtitute and ordain ſuch Rules, Orders and Ordinances, as they or a Majority of them as aforeſaid ſhall judge neceſſary and convenient;

venient; and that all and every ſuch Rules, Orders and Ordinances ſo to be made and ordained by the ſaid Juſtices and Veſtry, or the major Part of them, as aforeſaid, ſhall oblige and bind all and every the Inhabitants within the ſaid Pariſh; and in Caſe any Inhabitant or Inhabitants within the ſaid Pariſh ſhall refuſe to obey or comply with ſuch Rule, Order or Ordinance, that then all and every Perſon or Perſons ſo offending, neglecting, diſobeying or refuſing to comply therewith, ſhall for every ſuch Offence forfeit the Sum of Forty Shillings, to be recovered and levyed by Warrant under the Hand and Seal of any Juſtice of the Peace of the ſaid Pariſh, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And whereas the time for chooſing Church-Wardens and Veſtry-Men and other parochial Officers is by the Conſtitution and a Law of this Iſland elapſed, be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Juſtices or any two of them, within Ten Days after the paſſing of this Act, to iſſue out a Warrant or Warrants to the Provoſt-Marſhal, or his lawful Deputy, to ſummon the Free-

holders

holders of the ſaid Pariſh, to be and appear at ſuch a certain Place, and on ſuch certain Day and Time as the ſaid Juſtices ſhall appoint, then and there to make choice of Ten Veſtry-Men, Two Church-Wardens, Conſtables and other parochial Officers, to ſerve for the remaining Part of this preſent Year 1704, as effectually, to all Intents and Purpoſes, as if they had been choſen within the time preſcribed, according to the true Intent and Meaning of an Act, entitled, *An Act for the Maintainance of Miniſters and the Poor, and erecting and repairing of Churches*, any thing herein or in any former Law to the contrary in any wiſe notwithſtanding.

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## An ACT

*For making a new Road from St.* Thomas *in the Eaſt to St* Andrews.

WHereas the High Road from St. *Thomas* and St. *Davids* lyeth ſo near the Sea-Side, that by the landing of an Enemy the neceſſary Communi-

cation

cation between the Pariſhes of St. *Andrews*, St. *Thomas* and St. *Davids* may be obſtructed, and that it is therefore neceſſary that a new Road ſhould be made higher up in the Country, be it therefore enacted by her Majeſty's Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices of the Pariſh of St. *Thomas*, to iſſue out their Warrant to ſummon a Jury to view and lay out a Path from *Rusk Savana*, on the North Side of the Plantations of Lieutenant Colonel *William Harris* over the Hills, to the Plantation of Captain *John Coſley*, until they meet with the High Road that leads to *Yellow Bay*; and that they clear and maintain the ſame at their own Coſt and Charge; and the Juſtices of the Pariſh of St. *Davids* do ſummon a Jury to lay out a Path through the Land late of Col. *William Reives* and *Oathil* Plantation, and from thence to Capt. *Coſley*'s Pen, call'd *Cambridge*, and from thence over the Hills to *Bull's Bay* River; and that the Juſtices of *Port-Royal* and St. *Andrews*, or ſome of them, do join and by Warrant ſummon a Jury to lay out a Path through the Pariſh Land of *Port-Royal* and St. *Andrews*, the

the beſt and moſt convenient Way, to the Plantation of *Elizabeth Humphries* Widow, beginning at *Bull Bay* River, where the Path from the Pariſh of St. *Davids* ends; and that the Plantations in the Pariſh of *Port-Royal* do join their Hands with the Inhabitants of St. *Andrews*, for the making and clearing of ſuch Roads. And it is farther enacted by the Authority aforeſaid, That the Surveyor of each and every Pariſh abovementioned ſhall go with the Jury when they lay out the Roads, and when they are laid out, that the ſeveral Surveyors proceed forthwith to do their Duties, to open and clear the ſeveral Roads in this Act mentioned, and that it be done in the ſame manner as by an Act of this Iſland, intitled, *An Act for the High Ways.* And it is hereby enacted by the Authority aforeſaid, That if the Juſtices and Surveyors of each and every Pariſh in this Act mentioned ſhall neglect their ſeveral Duties, they ſhall reſpectively forfeit the Sum of Fifty Pounds Currant Money, where any ſuch neglect ſhall appear; one half of all ſuch Fines and Forfeitures ſhall be to him or them that ſhall ſue for the ſame, and the other Moyety for the uſe of the new Roads

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in ſuch Pariſhes where the Neglect ſhall happen; and that the Juſtices of the abovenamed Pariſhes ſhall proceed to the laying out ſuch Roads in their ſeveral Pariſhes, at or upon the firſt of *November*, in the Year of our Lord 1705; that all Fines under Forty Shillings ſhall be recovered before any Juſtices of the Peace, and if above Forty Shillings in any Court of Record within this Iſland, where no Eſſoign, Protection, Wager of Law or *Non vult ulterius proſequi* ſhall be enter'd, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

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## An ACT

*For the making and keeping clear a publick Road from* Clarendon *to St.* Elizabeths *over* one Eye Savana.

WHereas the preſent Highway from St. *Jago de la Vega* into the Pariſhes of St. *Elizabeth*, and *Weſtmorland*, in that Part from *Swift* River over *long Bay* and

and the *Devil's Race*, is very inconvenient and dangerous by reaſon of the Quick Sands along the Sea Shoar, and the Narrowneſs and Difficulty of the Paſs over the *Devil's Race*; and whereas by ſeveral credible Perſons that have travelled in the Woods and Mountains between *Porus Savana* in the Pariſh of *Clarendon* and *Forſter*'s Plantation in the Pariſh of St. *Elizabeths*, it hath been found that a more commodious and ſhorter Way may be cut through the Woods from *Porus Savana* aforeſaid by the *Ciſterus* to *Martins*, and by *one Eye* Mountain to *Forſter*'s Plantation in the Pariſh of St *Elizabeths* aforeſaid; and it being requiſite as well for her Majeſty's Service in conducting ſpeedy Succours to each Place, as for the neceſſary Uſe of her Majeſty's Liege People, that a publick Road be laid out from the ſaid Pariſhes of St. *Elizabeths* and *Weſtmorland* into the Pariſh of *Clarendon* aforeſaid, be it therefore enacted by her Majeſty's Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That a new Highway or Path ſhall be with all convenient ſpeed run out and made, leading from the Croſs to *Burnt Savana*, and through St. *Jago Savana* by

by Mr. *John Sutton's Penn*, and ſo over St. *Jago* Savana to *Porus* Savana in the Pariſh of *Clarendon*, according to the moſt direct and convenient courſe it can be laid out, and from *Porus* Savana aforeſaid by *Martins*, and from *Martins* to the *Ciſterus*, and from the *Ciſterus* by *one Eye* Mountain aforeſaid, and from thence the moſt direct and beſt Way leading to *Forſter's* Plantations in St. *Elizabeths* aforeſaid. And be it farther enacted by the Authority aforeſaid, That the Commiſſioners for the reſpective Pariſhes in this Act to be hereafter nominated and appointed ſhall and may, and they are hereby impowered and required to adminiſter an Oath to the Surveyor of the Highways, or Way-Wardens of each reſpective Pariſh, forthwith upon the return of the Surveyors, who are to run and lay out the ſaid Road or Highway to the Commiſſioners in this Act to be hereafter named, which ſaid Surveyors are to be appointed by the ſaid Commiſſioners. And after ſuch Return to be made and delivered by the ſaid Surveyors to the ſaid Commiſſioners, the ſaid Commiſſioners are to deliver the ſame to the ſaid Way-Wardens or Surveyors of the Highways, who ſhall thereupon forth-

forthwith proceed to the Execution and Diſcharge of the ſeveral reſpective Duties as is required in and by the Act, intitled, *An Act for the Highways*, as in all other Caſes of publick Roads and Highways; which ſaid Highway ſhall be cut Sixty Foot Broad according to an Act of this Iſland, intitled, *An Act for the Highways*, and well cleared by the Way-Wardens of the Pariſh of *Clarendon* aforeſaid, by the Labour of the Negroes belonging to the ſaid Pariſh, by them to be warn'd for that Purpoſe, ſo far Weſtwardly as the Bounds of the ſaid Pariſh ſhall be found to extend; and the remaining Part of the Way to *Forſter*'s Plantation as aforeſaid ſhall be cut and cleared in like manner by the Way-Wardens of St. *Elizabeths*; and the ſaid Highways being ſo cut and cleared, ſhall for ever hereafter be deemed and taken as a publick Road, and ſhall as often as Occaſion requires be maintained, repaired and cleared, and kept in good Order by the Way-Wardens of the ſaid Pariſh of *Clarendon* from the Croſs aforeſaid, to the Weſtward Bounds of the ſaid Pariſh of *Clarendon*, and by the Way-Wardens of the Pariſh of St. *Elizabeths*, from thence to *Forſter*'s Plantation aforeſaid, and thence by or through *Dickenſon*'s

Plantation to the next Highway leading to the Pariſh of *Weſtmorland* through the Pariſh of St. *Elizabeths* aforeſaid. And to prevent all diſputes which may ariſe about the Bounds of the ſaid Pariſhes of St. *Elizabeths* and *Clarendon*, or otherwiſe however touching the Execution and Performance of this Law, be it farther enacted and ordained by the Authority aforeſaid, That *Jonathan Gale*, *John Cambel*, Eſq; *Jonathan Dickenſon*, *John Forſter* and *John Hodges*, Gentlemen, of the ſaid Pariſh of St. *Elizabeth*; *Peter Beckford*, *Edward Pennant*, *Edward Fearon*, *Thomas Roden* and *Thomas Cargil*, Eſqs; of the Pariſh of *Clarendon*, be and are hereby appointed Commiſſioners to inſpect and take Care of the due Execution of this Act; which ſaid Commiſſioners, or any three of them, ſhall and are hereby required to meet at the Croſs in *Clarendon* the firſt *Thurſday* in *November* next, in the Year of our Lord 1705, and there to chooſe and appoint one lawful and ſworn Surveyor for the Pariſh of St. *Elizabeths* and another for the Pariſh of *Clarendon*, who ſhall immediately proceed to the running out of ſuch a Path as by this Act is appointed to be made a Highway, with the moſt conveniency to the publick, and the leaſt prejudice or damage

mage to any particular Perſon, from the Croſs as aforeſaid to *Burnt* Savana, and through St. *Jago* Savana by the ſaid *John Sutton's* Penn as aforeſaid, to *Porus* Savana in *Clarendon* Pariſh, to *Forſter's* Plantation in St. *Elizabeths* aforeſaid; and ſhall run out, fix and aſcertain the Bounds of the ſaid two Pariſhes of St. *Elizabeths* and *Clarendon*, according as the ſame is appointed by a former Act of this Country for the Diviſion of the ſaid two Pariſhes; and the ſame ſo aſcertained ſhall mark out with Stakes or other notable Marks exactly in the Line, to the end a Poſt of good and durable Timber may be fix'd, and for ever kept and maintained therein when the ſaid Highway comes to be cleared; on which ſaid Poſt ſo to be fix'd ſhall be cut or carv'd in good legeble Characters, on the Weſterly Side thereof, St. *Elizabeth*, and on the Eaſterly Side thereof *Clarendon*; and the ſame ſhall be always known, reputed and taken as the Boundary of the ſaid two Pariſhes, and to which theſe ſaid two Pariſhes repectively are hereby oblig'd to clear, and for ever maintain; and in Caſe any of the Surveyors or Surveyor ſo to be choſen reſpectively, ſhall neglect or refuſe immediately to proceed to the running

out the intended Path and Line as aforeſaid, that then and in ſuch Caſe they ſhall reſpectively forfeit the Sum of Fifty Pounds; and it ſhall and may be lawful for the ſaid Commiſſioners, or any three of them, to appoint two ſuch other lawful ſworn Surveyors as they ſhall think fit, who are hereby impowered to act and do in the Premiſes as by this Act is requir'd and intended, inſtead of the other Surveyors intended to be choſen reſpectively by the Commiſſioners for the ſaid two reſpective Pariſhes of *Clarendon* and St. *Elizabeths* aforeſaid, under the like Penalty of Fifty Pounds; and the ſaid Surveyors ſo to be choſen and appointed ſhall, as ſoon as they have run out the ſaid Path and Line, make return of their doings therein to the ſaid Commiſſioners, or any three of them, who ſhall cauſe the ſame to be recorded by the Clerk of the Peace of each of the ſaid Precincts of *Clarendon* and St. *Elizabeths*; and that the ſaid Surveyors ſhall be paid by the Church-Wardens of each Pariſh, for the Work by them done on Account of each Pariſh, as ſhall be adjudg'd by the Commiſſioners aforeſaid, or the Majority of them, to be paid out of the Pariſh-Stock reſpectively. And

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it is hereby farther enacted by the Authority aforeſaid, That the ſaid Commiſſioners having received the Return of the Surveyors as aforeſaid, ſhall cauſe two Copies of the ſame to be fairly drawn out, one whereof they ſhall forthwith ſend to the Way-Wardens of the Pariſh of *Clarendon*, and the other to the Way-Wardens of St. *Elizabeths*, with their ſtrict Orders to each and every of them in writing, that they reſpectively, as before in this Act is appointed, immediately proceed to the cutting down and clearing the ſaid Highway, ſo as the ſame may be compleated and finiſh'd within Eighteen Months after the paſſing the ſaid Act; and for the better doing and effecting thereof, the ſaid Way-Wardens of the ſaid ſeveral Pariſhes, and every of them reſpectively, are hereby authorized to iſſue out their Warrants to the Conſtables and Tything-Men, to warn the Inhabitants of the ſaid Pariſhes to furniſh ſuch Numbers of able Negroes or Slaves, together with ſuch a Number of White Men Drivers to overſee them, as ſhall be appointed by the Juſtices and Veſtry of each reſpective Pariſh, together with ſuch Tools, Proviſions, and other Neceſſaries, as ſhall be thought by them neceſ-

ſary for carrying on the ſaid Work, and finiſhing the ſame within the time hereby limited and appointed as aforeſaid; and whoſoever ſhall fail to ſend in his or her proportion of Workers, with ſuch Tools as ſhall be convenient, ſhall for every Head pay Three Shillings *per* Day upon Conviction thereof, to be recover'd before any Juſtice of the Peace by the Surveyors reſpectively, any thing in this or any other Act to the contrary thereof notwithſtanding. And if the ſaid Way-Wardens, or any of them, ſhall refuſe to do, or neglect his or their Duty in cutting or clearing the ſaid Highway to the extent of their reſpective Bounds as hereby is appointed, he or they ſo offending ſhall reſpectively forfeit the Sum of Fifty Pounds Currant Money of this Iſland; and in Caſe the ſaid intended Highway ſhall be neglected and not maintain'd in good repair by ſucceeding Way-Wardens, he or they that ſhall ſo offend therein ſhall reſpectively lie under the Pains and Penalties provided in an Act of this Iſland, intitled, *An Act for the Highways*; and if any Commiſſioner, Juſtice or Surveyor by this Act appointed, ſhall neglect his or their Duty touching the Premiſes or any Part thereof, he

or

or they ſhall reſpectively forfeit the Sum of Fifty Pounds; and if any Veſtry-Man, Conſtable, or Tything-Man ſhall neglect his or their Duty, they ſhall reſpectively forfeit Twenty Pounds; all which ſaid Forfeitures ſhall be one half to the Informer, or to him or them that ſhall ſue for the ſame, the other half to the Church-Wardens of each of the reſpective Pariſhes, to the Uſe of the ſaid Highways, and all other Forfeitures not exceeding Forty Shillings ſhall be recovered by the Church-Wardens of the ſaid Pariſhes reſpectively by Action of Debt before any Juſtice of the Peace, and if above Forty Shillings in any Court of Record of this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be enter'd; any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

## An ACT

*For eſtabliſhing Courts at* Kingſton, *and exempting Packet-Boats from the Duty of Gun-Powder.*

WHereas many Gentlemen, Merchants, and others have lately ſettled, and do now Reſide and Trade at *Kingſton*; and whereas the ſettling of Quarter Seſſions and Courts of Common Pleas may conduce very much to the Uſe and Advantage of the Inhabitants, and to the Encouragement of Trade there, be it therefore enacted and ordain'd by her Majeſty's Governour, the Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That for the eaſe of the Merchants and trading People of the ſaid Town of *Kingſton*, that there be erected, eſtabliſhed and held in the ſaid Town a Quarter-Seſſions for the Conſervation of the Peace, and a Court of a Common Pleas, with the ſame Power and Authority to all Intents that is or hath been held or exerciſed at *Port-Royal*; which ſaid Court ſhall be held the firſt time

time the firſt *Wedneſday* in *September*, in this preſent Year 1705, and afterwards every two Months; and the Seſſions every three Months, the firſt Seſſions on the Third *Tueſday* in *Auguſt*, and ſo every three Months. And whereas a certain enacting Clauſe, for the preventing of the Uſe of Shingles brought from the Norward, which ſaid Clauſe is contain'd in an Act, intitled, *An Act to prohibit the keeping of any Quantity of Gun-Powder on* Port-Royal; *and for the better ſecurity of the ſaid Town; and to inable Freeholders to chooſe Church-Wardens, Veſtry-Men, and other parochial Officers, although the time for chooſing thereof be elaps'd already*, hath been found inconvenient to the Inhabitants of *Port-Royal* aforeſaid, be it therefore enacted by the Authority aforeſaid, That the ſaid Clauſe and all and every the Matters and Things therein contain'd, ſhall be and are hereby repeal'd, annul'd and made void to all Intents, Conſtructions and Purpoſes, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And whereas her Majeſty hath been graciouſly pleas'd to appoint Packet-Boats to ſail frequently from her Majeſty's Kingdom of *England* to her Majeſty's

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Plantations and Colonies in the *Weſt-Indies*, whereby a conſtant Correſpondence is is held, to the great Advantage of this Iſland; and whereas ſuch Packet-Boats, as well as all other Veſſels, are oblig'd to pay a Duty of Gun-Powder to the Receiver-General, which is a heavy Impoſition on ſuch Packet-Boats, be it therefore enacted by the Authority aforeſaid, That the Packet-Boats at preſent here, and all other ſuch Packet-Boats as ſhall hereafter arrive, ſhall be and are hereby exempted from the payment of all ſuch Duty of Gun-Powder, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

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## An ACT

*For the Encouragement of good and able Miniſters to come to this Iſland.*

WHereas there is an Act of this Iſland, intitl'd, *An Act for the Maintenance of Miniſters and the Poor, and Erecting and Repairing Churches*, in which there

there is not a ſufficient Proviſion made to encourage learned and pious Men to come and to reſide in the ſeveral Pariſhes of this Iſland; for the better Encouragement therefore of good and orthodox Divines, duly qualify'd as the ſaid Law directs, that now reſide in, or hereafter ſhall come to this Iſland, for the Promotion of Piety, Religion and Virtue,

Be it enacted by the Governour, Council and Aſſembly of this Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Miniſters of each reſpective Pariſh hereafter mention'd ſhall receive of the Church-Warden or Church-Wardens of each reſpective Pariſh ſuch Sums of Money as is hereafter directed, every Six Months, by equal Portions, to be rais'd and collected as in and by the ſaid Act, intitl'd, *An Act for the Maintenance of the Miniſters and Poor, and Erecting and Repairing Churches*, is directed, *viz.* to the Miniſter of the Pariſh of St. *Katherines* ſhall be allow'd, rais'd, collected and paid the Sum of One Hundred and Fifty Pounds *per Ann.* Currant Money of this Iſland; provided nevertheleſs, if the Juſtices and Veſtry ſhall think fit, for the Encouragement of an able

able Divine, it ſhall and may be lawful for them to add One Hundred Pounds more to his Salary, ſo that the whole Sum exceed not Two Hundred and Fifty Pounds *per Ann.* and to the Miniſters of the Pariſhes of St. *Thomas in the Vale*, St. *Dorothy*, *Kingſton*, *Vere and Clarendon*, ſhall be allow'd each One Hun- and Fifty Pounds *per Ann.* provided nevertheleſs, if the Juſtices and Veſtry ſhall think fit, to add Fifty Pounds more to each of their Salary, ſo that the Whole exceed not Two Hundred Pounds *per Ann.* and to the Miniſters of the Pariſhes of St. *Andrews*, St. *Johns*, St. *Thomas* to Windward, St. *Davids*, St. *Georges*, St. *Marys*, St. *Anns*, St. *James*, St. *Elizabeths* and *Weſtmorland*, ſhall be allow'd each One Hundred Pounds *per Ann.* provided nevertheleſs, if the Juſtices and Veſtry ſhall think fit, it ſhall and may be lawful for them to add Fifty Pounds *per Ann.* more to each of their Salaries, ſo that the Whole exceed not One Hundred and Fifty Pounds *per Ann.*

And whereas the Inhabitants of ſeveral Pariſhes of this Iſland, by certain Inſtruments in Writing under their Hands and Seals, did oblige themſelves to pay to the Miniſters of their Pariſh certain

tain Sums of Money as an Addition to their Salary more than in and by the ſaid Act, intitl'd, *An Act for the Maintenance of the Miniſters and Poor, and Erecting and Repairing Churches*, is allow'd and directed, be it therefore enacted and ordained by the Authority aforeſaid, That all ſuch Perſons, who have oblig'd themſelves to the Payment of any Sums of Money to the Miniſters of any Pariſh for Officiating as Miniſter, otherwiſe than is agreeable to this Act, are hereby freed and acquitted from any ſuch Obligation; and that no other Salary ſhall on any Pretence whatſoever be rais'd, aſſeſs'd, collected and paid by any Pariſh in this Iſland by the Juſtices and Veſtry-Men, or the Juſtices where no Veſtry is, upon the Inhabitants of the ſame, than what is in and by this Act before preſcribed and allow'd, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That when any Miniſter ſhall for the future happen to be preſented to any Pariſh within this Iſland, after the Aſſeſſments for that Year ſhall be laid, that it ſhall and may be lawful for the Juſtices and Veſtry of ſuch Pariſh, and the Juſtices and Veſtry of

ſuch

ſuch Pariſh are hereby requir'd and injoyn'd, within Twenty Days after due Notice of ſuch Preſentation, to meet at the Pariſh-Church, and lay ſuch farther Aſſeſſment for the Payment of ſuch Salary as this Act requires.

And whereas the Pariſh of *Port-Royal* has ſuffer'd very much by the dreadful Earthquake, and ſince by Fire, being reduc'd to a far lower Eſtate than when the ſaid beforemention'd Act was made, that the Inhabitants are not capable to raiſe the Salary as in the ſaid Act is directed, be it therefore enacted by the Authority aforeſaid, That the Juſtices and Veſtry ſhall lay a Tax of One Hundred Pounds *per Ann.* provided that the Juſtices and Veſtry have Power to raiſe the Sum of Fifty Pounds more if they think fit, for the Maintenance of their Miniſter, who ſhall officiate there; and it ſhall and may be lawful for the ſaid Juſtices and Veſtry, and they are hereby requir'd, to raiſe a farther Sum of One Hundred Pounds *per Ann.* to be paid by the Church-Wardens of the ſame in equal Portions to *Philip Bennet*, as Rector of the ſaid Pariſh, during his Life and Reſidence in this Iſland, notwithſtanding his Diſability by Age and Sickneſs to officiate there. And

And be it farther enacted by the Authority aforeſaid, That no Perſon whatſoever, though duly qualify'd, and obtaining the ordinary preſentation for any Pariſh within this Iſland, ſhall ask, demand or take any Sum or Sums of Money for any farther or longer time than he ſhall actually officiate as Miniſter of the ſaid Pariſh, Sickneſs only excepted, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

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## An ACT

*For the farther Encouragement of Parties, and more ſpeedy Reduction of Rebellious and Runaway Slaves.*

WHereas in and by an Act made in the firſt Year of her Majeſty's Reign, intitled, *An Act for the more effectual raiſing of Parties to purſue and deſtroy Rebellious and Runaway Slaves*, it was amongſt other things enacted and ordained, That it ſhould and might be lawful to and for her Majeſty's Lieutenant

nant-Governour and Commander in Chief or to and for the Commander in Chief for the time being, to raiſe and appoint four ſtanding Parties, which ſaid Parties were to be kept in the Windward Pariſhes of this Iſland, for and towards the reducing and ſuppreſſing the ſaid Rebellious Slaves, each Party whereof was to conſiſt of a Captain, Fourteen White Men and Five arm'd Slaves, ſuch as the Captain or Captains ſhould think fit to inliſt; and whereas by the ſaid Act each Captain was to have Six Pounds *per* Month, each Serjeant Four Pounds *per* Month, and every private Soldier Three Pounds *per* Month, and every Slave Fifty Shillings *per* Month, whereof Ten Shillings *per* Month was to be for the ſole and only uſe of ſuch Slaves belonging to any of the ſaid Parties; and whereas it has been found by Experience that the ſaid Number of Parties has not been ſufficient to carry on the ſaid Work, nor encouragement given ſufficient to engage Perſons in the ſaid undertaking,

Be it therefore enacted by the Governour, Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may

may be lawful for your Majeſty's preſent Governour, or the Governour or Commander in Chief for the Time being, to raiſe Four other Parties over and above the ſaid Four Parties appointed by the ſaid recited Act; which ſaid Parties when ſo rais'd ſhall immediately proceed to attack, purſue and deſtroy every ſuch rebellious Slave and Slaves as they ſhall be inform'd or be in Purſuit of, according to the Directions, Intent and Meaning of the ſaid recited Act.

And to encourage all Captains or Commanders, and the ſeveral and reſpective Soldiers under their Command, chearfully to engage in ſo neceſſary a Work, be it farther enacted by the Authority aforeſaid, That every Captain or Commander ſhall have and receive, as an additional Pay and Encouragement over and above what is given in and by the ſaid recited Act, the farther Sum of Four Pounds *per* Month, each Serjeant Forty Shillings *per* Month, each private Soldier One Pound *per* Month, and the Maſter of each Slave Ten Shillings *per* Month, and each Free *Mulatto*, *Indian* or Negroe ſhall have in all Four Pounds *per* Month.

And be it enacted by the Authority aforeſaid, That the ſaid Four Parties intended to be raiſed, or any of them, as ſoon as they ſhall be raiſed, ſhall immediately be ſent into ſome or one of the Four Leeward Pariſhes of this Iſland, *viz.* St. *Anns*, St. *James*, St. *Elizabeths* and *Weſtmoreland*, or any one of them.

And whereas it has been found difficult for the Captains or Commanders of Parties to raiſe Men, be it farther enacted by the Authority aforeſaid, That beſides the Directions contained in the ſaid recited Act for raiſing of Men, it ſhall and may be lawful for the Colonel or Commander in Chief of the ſeveral and reſpective Regiments of this Iſland, to impreſs and ſend for this Service ſo many Men as the Governour for the time being from time to time ſhall appoint, out of their reſpective Regiments, not exceeding Six Months at a time, and not exceeding every Sixth Man, reſpect being always had to Perſons exempted by the ſaid recited Act; and the ſaid Colonels ſhall and are hereby farther impower'd to impreſs for the ſaid Service all free *Mulattoes*, free Negroes and *Indians*.

And the better to ſtrengthen the ſaid Parties formerly intended to be raiſed by the

the ſaid recited Act, and of the Four otherParties now intended to be raiſed, be it enacted by the Authority aforeſaid, That each Party ſhall conſiſt of a Captain or Commander, a Serjeant, Fifteen White Men, Five arm'd *Mulattoes*, *Indians* or Negroes, and ſix Baggage Slaves; and that there ſhall be allowed to the Four Windward Parties a Surgeon, ſuch as ſhall be approved and allowed of by the Governour or Commander in Chief for the time being, and one other Surgeon for the Leeward Parties, who ſhall each have beſides Medicines Eight Pounds *per* Month; which ſaid Surgeons ſhall alſo be Commiſſaries, and are hereby impowered and required to take care of all Proviſions, Stores and other Neceſſaries which ſhall be ſent to them, and iſſue out the ſame for the Uſe of the ſaid Pariſhes; and ſhall from time to time give and render a juſt and true Account thereof to the Commiſſioners hereafter named, and for their encouragement ſhall each of them have and receive the farther Sum of Four Pounds *per* Month.

And in Order to keep up the ſaid Parties till the ſaid intended Service ſhall be effected, be it farther enacted by the

Authority aforeſaid, That in Caſe any Soldier, *Mulatto*, *Indian*, free Negroe or Slave happen to be kill'd or wounded, that then and in ſuch Caſe the next and immediate Commanding Officer in the Pariſh where ſuch Party ſhall happen to be, ſhall upon Notice to him given by the Captain or Commanding Officer of ſuch Party, immediately impreſs and ſend another Soldier, *Mulatto*, *Indian* or Slave, to ſupply the Place of the other ſo kill'd or diſabl'd as aforeſaid; Reſpect being always had to the Directions contain'd in the ſaid recited Act, of what Perſons ought not to be impreſs'd in and by the ſaid Act.

And whereas nothing can more effectually conduce to the ſpeedy Deſtruction of the ſaid rebellious Slaves, than Parties poſſeſſing themſelves of their Settlements, or deſtroying the ſame when found out, be it farther enacted by the Authority aforeſaid, That upon the Diſcovery of any ſuch Settlement as aforeſaid, either in the Windward or Leeward Pariſhes of this Iſland, any Party or Parties upon the Finding out or Diſcovering of the ſame, ſhall immediately ſecure themſelves by Stockadoes, or ſuch other Works as by themſelves ſhall be adjudg'd moſt

moſt convenient, or deſtroy the ſame; according to the Directions which the Captains or Commanders of ſuch Parties ſhall have or receive from the Governour or Commander in Chief for the Time being: And to the Intent the Governour may from Time to Time be inform'd of the Proceedings and Progreſs made by all Captains of Parties, in Order to give ſuch Directions from Time to Time as he ſhall judge convenient, be it alſo enacted by the Authority aforeſaid, That the Captain or Commander of each reſpective Party ſhall keep an exact and true Journal of all his Daily Proceedings, and tranſmit with all convenient Opportunities an exact and true Copy thereof, either to the Governour or Commander in Chief for the Time being, or to the Commanding Officer of the Pariſh where ſuch Parties ſhall happen to be, who is hereby requir'd forthwith to forward the ſame; the Truth of which Journals the ſaid Captain ſhall declare upon Oath when thereunto requir'd.

And to the Intent the ſaid Parties may from Time to Time be ſupply'd with Proviſion and other Neceſſaries, be it enacted by the Authority aforeſaid, That *Charles Chaplin*, Eſq; and in

Caſe of his Death or Abſence the Receiver-General for the Time being, ſhall be, and is hereby appointed to be Commiſſioner for the buying, providing and ſending Proviſions, Shoes, Rum, Sugar, diſtinguiſhing Caps, Ammunition, and other Neceſſaries, for and to the ſaid Parties, as he ſhall from Time to Time be order'd and directed by her Majeſty's Governour for the Time being; and he is hereby farther requir'd and empower'd to lodge in the Hands of ſuch Perſons, as he ſhall think fitting, the aboveſaid Neceſſaries, in ſuch convenient Place, as the Parties may have them with the more Conveniency, either on the North-Side or South-Side of this Iſland.

And to the Intent that no Negroes may be ſupply'd with Arms or Ammunition, be it farther enacted by the Authority aforeſaid, That no Perſon whatſoever, Shop-keeper or other, ſhall ſell to any Slave any Arms, *viz.* Guns, Piſtols, Swords, Lances, Hangers, Matchets or other offenſive Arms whatſoever, or any Powder, Ball or Shot, under the Penalty of One Hundred Pounds for every Offence, to be recover'd by Action of Debt in any of her Majeſty's Courts

of

of Record; One Half whereof ſhall be to the Commiſſioner or Commiſſioners for the Time being, for and towards the Support and Maintenance of the ſaid Parties, the other Moyety to him or them that ſhall inform or ſue for the ſame, wherein no Eſſoign, Protection or Wager of Law ſhall be allow'd, or *Non vult ulterius proſequi* be enter'd, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That no Maſter or Miſtreſs ſhall ſuffer any Negroe or other Slave whatſoever to ſell or deliver any Powder, Arms or Ammunition, Drugs or Medicines of any Kind whatſoever, under the Penalty of One Hundred Pounds, to be recover'd from the Maſter or Miſtreſs of ſuch Slave, ſo ſuffering or permitting him or her to ſell as aforeſaid.

And be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Captain or Commander of any Party or Parties, to impreſs any One or more Gang or Gangs of Hunting-Dogs, for the Uſe of the ſaid Parties, as he or they ſhall ſee convenient; which Gang or Gangs of Dogs ſhall be apprais'd by any Two of the near-

eſt neighbouring Freeholders, that the Commander aforeſaid ſhall appoint, both as to the real Value of them all, and as to the Monthly Uſe thereof; which Monthly Hire or total Value, if they or any of them are kill'd, diſabled, loſt or not return'd, ſhall be paid by the Commiſſioner herein appointed, out of the Money appropriated for the Uſe of Parties.

And be it farther enacted by the Authority aforeſaid, That all and every Perſon and Perſons whatſoever, receiving any Money to pay the ſaid Parties, and delaying the Payment, or by any other Means defrauding the Men thereof, ſhall forfeit the Sum of One Hundred Pounds for every ſuch Offence.

And whereas Captain *John Richardſon*, of the Pariſh of St. *James*'s, hath been ſignally ſerviceable in Parties againſt the rebellious Negroes, by whoſe particular Conduct their Haunts have been diſcover'd, and ſeveral of the ſaid Rebels taken and deſtroy'd; be it therefore enacted by the Authority aforeſaid, That the Commiſſioners hereby appointed ſhall, in Three Months after the paſſing of this Act, pay unto the ſaid Captain *John Richardſon* the Sum of Fifty Pounds over

and

and above his Pay, out of the Money appropriated for the Uſe of Parties, as a Reward for his good Service.

And whereas a Negroe Man nam'd *Hilas*, now belonging to *Job Williams* a Minor, the Son of *Job Williams* of the Pariſh of St. *Anns* Planter, hath often ſignaliz'd himſelf in Parties againſt the Rebellious Negroes, and more particularly againſt the *French*, who lately attempted a Deſcent in the ſaid Pariſh, where he receiv'd Two dangerous Shots, One thro' each Thigh; for Recompence therefore of the ſaid Negroe, and for the Encouragement of all other Slaves to engage chearfully in Oppoſing any Enemy, be it enacted by the Authority aforeſaid, That the Commiſſioner in this Act nam'd, ſhall out of the firſt Ship that arrives after paſſing this Act, buy and pay for, out of the Money appropriated for the Uſe of Parties, One good able *Papau* or *Calimante* Negroe Man, near but not exceeding the Value of Forty Pounds, which ſaid Negroe ſhall be deliver'd unto the ſaid *Job Williams* Senior, for the Uſe of the ſaid *Job Williams* Junior, to him and his Heirs for ever, for and inſtead of the ſaid Negroe *Hilas*; and upon the Delivery or Tender of the ſaid new

new Negroe to the ſaid *Job Williams* Senior, or by the ſaid Commiſſioner, or by any other Perſon whom he ſhall order or appoint, the ſaid Negroe *Hilas* ſhall be freed immediately from Slavery, perfectly ſet at Liberty, and for ever hereafter ſhall have and enjoy all the Benefit and Privileges that all other free Negroes have or enjoy in this Iſland, any Sale, Gift, Grant, Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That if any rebellious Slave or Slaves now amongſt the Rebels in this Iſland, ſhall before the Expiration of this Act, ſurrender himſelf to any Maſter of a Family or Overſeer, ſuch Slave or Slaves ſhall be freed from all Corporal Puniſhment and Loſs of Life or Limb, but ſhall within three Months after ſuch Surrender be tranſported from this Iſland, and be ſold; and the Money ariſing from ſuch Sale ſhall be paid into the Hands of the Commiſſioner in this Act appointed, for and towards the ſupport of Parties, and for and towards no other Uſe whatſoever; and the Maſter of a Family or Overſeer, to whom ſuch rebellious Slave ſhall ſurrender himſelf as aforeſaid, is hereby

hereby oblig'd and required to convey him or them ſo ſurrendering as aforeſaid to the next commanding Officer of the Militia, who alſo is hereby ſtrictly obliged and required to convey or cauſe him to be conveyed to the Commiſſioner herein appointed, under a ſufficient Guard; and whatſoever Maſter of a Family, Overſeer, Military Officer, or Perſon under his Command on ſuch Guard, ſhall refuſe to do his Duty as is before requir'd, ſhall forfeit for every ſuch Offence the Sum of one Hundred Pounds.

And be it farther enacted by the Authority aforeſaid, That if any rebellious or outlying Slave or Slaves ſhall be drove or come in after the going out of the ſaid Parties, or either of them, the Owner or Owners, or any other Perſon or Perſons knowing thereof, and not endeavouring to apprehend the ſaid Slave or Slaves, nor diſcovering the ſame to ſome or one of her Majeſty's Juſtices of the Peace, or to the next Commiſſion Officer of the Militia, ſhall forfeit the Sum of one Hundred Pounds for every Slave ſo entertained, and not diſcovered as is before required.

Be it alſo enacted by the Authority aforeſaid, That this Act ſhall be read at the

the Head of every Troop of Horſe, and every Company of Foot in the Militia of this Iſland, within Forty Days after the paſſing of the ſame; and whatſoever Captain or Captains ſhall neglect or refuſe to do the ſame, ſhall reſpectively forfeit the Sum of Twenty Pounds each.

Be it therefore farther enacted, That the Secretary of this Iſland for the time being ſhall and is hereby required to give a fair Copy of this Act to the Commiſſioner herein appointed, and to every Colonel of the Militia of this Iſland if required, who ſhall cauſe the ſame to be read at the Head of each Company of his ſaid Regiment within Forty Days after the paſſing of this Act; for each of which he ſhall receive Twenty Shillings, to be paid by the ſaid Commiſſioner out of the Money appropriated for the Uſes of Parties.

And be it enacted by the Authority aforeſaid, That *Charles Chaplin*, Eſq; and in Caſe of his Death or Abſence, the Receiver-General for the time being, ſhall be, and is hereby appointed ſole Commiſſioner for receiving of all and every Sum and Sums of Money already or hereafter to be appropriated for this Uſe,

Uſe, and for buying and providing of all Neceſſaries, in the Stead and Room of the late Commiſſioner.

And be it alſo enacted by the Authority aforeſaid, That nothing in this Act contained ſhall be conſtrued, deemed or taken to repeal or make void the ſaid Act, intitled, *An Act for the more effectual raiſing Parties to purſue and deſtroy rebellious and runaway Slaves*; but that all and every Article, Clauſe, Matter and Thing mentioned and contained in the ſaid Act, and not hereby repealed or altered, ſhall continue and be in Force and Virtue as fully and effectually, to all Intents and Purpoſes, as if this preſent Act had not been made, any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

And be it enacted by the Authority aforeſaid, That all Forfeitures mention'd and contained in this Act and not mentioned how to be recovered and diſpoſed of, ſhall be recovered in the Supream or Grand Court of this Iſland; one Moyety or half Part of all which ſaid Forfeitures ſhall be to the Uſe of the Commiſſioner or Commiſſioners for the time being, for and towards the Maintainance of the ſaid Parties, and the other Moyety to him or them

them that ſhall inform or ſue for the ſame, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or *Non vult alterius proſequi* be enter'd, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

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## An ACT

### *For the farther and better Securing* Port-Royal.

WHereas the Kayes and Shoals at *Port-Royal* are by Experience found to be a very great Safeguard to the Town and Fortifications there erected, which Kayes and Shoals are daily leſſened by ſeveral Perſons carrying away the Stones and Sand from thence, the continuance of which may in the end prove very fatal and deſtructive to the Place, be it therefore enacted by the Governour, Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That no Stones, Shells, Gravel or Sand ſhall be taken up and carry'd away by any

any Perſon or Perſons whatſoever, their Slaves or Servants, from any Kayes or Shoals from between *one Baſh* Kay to the *Eaſtermoſt* Kay ſo called, or within the ſpace or compaſs of three Miles within or without the ſaid Kayes or either of them, under the Penalty of the Forfeiture of ſuch Boat or Canoe in which ſuch Stones, Shells, Gravel or Sand ſhall be ſo carry'd off; to be recovered againſt the Party or Parties ſo offending contrary to the true Intent and Meaning of this Act, their Maſters or Employers, by Warrant upon Conviction before any Juſtice of the Peace of the Precincts; which Boat or Canoe ſo forfeited ſhall be adjudged to belong to the Party or Parties that ſhall inform or proſecute for the ſame within Twenty Days after the Fact committed, any Law, Statute or Uſage to the contrary in any wiſe notwithſtanding. Provided nevertheleſs, That nothing in this Act contained ſhall be conſtrued to extend to hinder any Perſon from taking up Stones to the Weſtward or Northweſtward of the Leewardmoſt Channel, any thing herein contained to the contrary notwithſtanding. And whereas the preſerving the Harbour of *Port-Royal* is of the greateſt Conſequence

to

to the Trade of this Iſland, be it farther enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall from and after the paſſing this Act, either Voluntarily or through Neglect, cauſe or ſuffer any Ship or Veſſel to ſink or be ſunk in any other Part or Place within the ſaid Harbour, except between the *Round Tower* and the *Paliſadoes*, under the Penalty of One Hundred Pounds of Currant Money of this Iſland; one Moyety or half Part ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, the other Moyety to him, her or them that ſhall ſue for the ſame in the Supream Court of Judicature of this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allow'd, or more than One Imparlance granted, or *Non vult ulterius proſequi* ſhall be enter'd, any Law, Statute or Uſage to the contrary notwithſtanding.

An

# An ACT

*Appointing Way-Wardens, regulating Wharfage, and buoying out the Channel between* Port-Royal *and* Kingſton.

WHereas the Inhabitants of the Town and Pariſh of *Kingſton* are not qualify'd to elect Surveyors of the High-Ways according to an Act, entitl'd, *An Act for the High-Ways*, made in the Thirty Second Year of the Reign of his late Majeſty King *Charles* the Second, whereby the ſaid Town cannot be kept ſo clean and healthful as it ought to be, be it therefore enacted and ordained by her Majeſty's Governour, Council and Aſſembly, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices and Freeholders of *Kingſton* aforeſaid, who are hereby required and obliged every Year when they ſhall firſt meet to lay their Pariſh Tax, to elect and chooſe Two or

more Inhabitants of *Kingſton* aforeſaid to be Way-Wardens in the ſaid Town, altho' not qualify'd according to the Directions of the ſaid Act, who are hereby order'd and impower'd to ſummon and warn the Pariſhioners and Inhabitants of the ſaid Pariſh to ſend Negroes and other fit Perſons with Pick-Axes, Spades and other Things neceſſary, at ſuch Time and Times as they ſhall think convenient, for the cleanſing, repairing and amending of the Roads, Streets, Lanes, Alleys and publick Places of the ſaid Town, and for the carrying away of the Dirt, Filth, and other Annoyances therein, to ſuch Place or Places as to the ſaid Way-Wardens ſhall ſeem meet and convenient, for the Health of the Inhabitants, and keeping clean the ſaid Place, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And if any Way-Warden neglects his Duty touching the Premiſes, or any Part thereof, he ſhall forfeit the Sum of Ten Pounds for every ſuch Offence; and every Freeholder, Pariſhioner or Inhabitant that being duly warned ſhall neglect his or their Duty in ſending ſuch Negroes and others, according as they ſhall be appointed by the ſaid Way-

Wardens,

Wardens, ſhall forfeit Forty Shillings for each Offence, to be recover'd in ſuch Manner as other ſmall Debts not exceeding Forty Shillings are recoverable within this Iſland. And be it farther enacted by the Authority aforeſaid, That all Perſons keeping publick Wharfs or Bridges at *Kingſton* aforeſaid, ſhall be obliged to keep a Book, wherein he ſhe or they ſhall fairly enter the Marks and Numbers of all ſuch Goods as ſhall be landed on his, her or their Wharf or Wharfs, Bridge or Bridges, and alſo the Name or Names of the Perſon or Perſons by whom landed, and the Name or Names of the Veſſel or Veſſels out of which the ſaid Goods ſhall be taken, and alſo to take a Receipt of the Perſon or Perſons to whom the ſaid Goods ſhall be deliver'd; and if any Owner or Owners of the ſaid Wharf or Wharfs, Bridge or Bridges, have or ſhall receive Payment for any Goods landed on their ſaid Wharf or Wharfs, Bridge or Bridges, or for any Veſſel lying and delivering or loading thereat, the ſaid Wharf or Wharfs, Bridge or Bridges ſhall be deemed and held to be as a publick Wharf or Bridge; and if any Wharfinger ſhall neglect to keep ſuch a Book,

and to make ſuch Entries as aforeſaid, ſuch Wharfinger ſo neglecting his or her Duty therein ſhall forfeit for every ſuch Offence the Sum of Ten Pounds, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Owner or Owners of any Wharf or Wharfs, Bridge or Bridges as aforeſaid, from and after the firſt Day of *May* in this preſent Year of our Lord, 1709, to Demand and Receive of all and every Perſon or Perſons whatſoever, Landing any Goods on his, her or their Wharf or Wharfs, Bridge or Bridges, the Rates hereafter mentioned, and no other, on Penalty of Forty Shillings for each Offence, *viz.* for each Hogſhead of Sugar or other Goods of the Product of this Iſland, the Sum of One Shilling and Sixpence, for Landing, Wharfage, Covering, Weighing and Shipping off, and for Indico, Cotton, Piemento and Ginger in Bag or ſmall Cask Three Half-Pence *per* Hundred for Landing, Wharfage and Weighing, and the like Sum of Three Half-Pence *per* Hundred for Shipping off again; and for Wharfage and Weighing of each Ton

of

of Logwood, and all other Woods for the Dyers Uſe, the Sum of Fifteen Pence, and the like Sum of Fifteen Pence for every Ton for Weighing and Shipping off the ſame; and for each Ton of *European* Goods landed, or Goods from *North-America* or the *Weſtern-Iſlands*, Two Shillings and Six-Pence *per* Ton *Jamaica* Tonnage; and the like Sum of Two Shillings and Six-Pence *per* Ton for Shipping off the ſame again; and for Cocoa, Sarſaparilla, and Jeſuits Bark, the Sum of Three Half-Pence *per* Hundred, and for Salt a Half-Penny *per* Buſhel; and each Wharfinger is hereby obliged to keep a Crane, Sheds and Tarpawlings, for Securing of Goods landed upon their Wharf or Wharfs, Bridge or Bridges from the Weather, on Penalty of Forfeiting the Sum of Forty Shillings for every Default, and be farther liable to an Action at Law for whatever Damages ſhall be done to any Goods on their ſaid Wharf or Wharfs, Bridge or Bridges, and alſo for whatever Goods ſhall be loſt or ſtol'n therefrom, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding. And whereas the ſinking of Wrecks is very pernicious to the Road of *King-*

*ſton*, be it therefore enacted by the Authority aforeſaid, That no Wreck or Wrecks from and after the firſt Day of *May* in the Year of our Lord 1709, be ſunk, or Ballaſt thrown into the ſaid Road to the Eaſtward of the Weſt End of the Town of *Kingſton*, nor to the Weſtward of the Eaſt Part of the Town of *Kingſton*, other than what is already ſunk or thrown into the ſaid Road, under the Penalty of forfeiting the Sum of one Hundred Pounds for every ſuch Offence, and be farther liable to remove the ſame. Provided, That it ſhall and may be lawful to and for the Juſtices in Seſſions to give leave to any Perſon or Perſons to ſink any Wreck or Wrecks in any Part of the ſaid Road, that may be by them thought moſt convenient, for the Careening of Ships and Veſſels, and not otherwiſe, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And whereas the throwing of Squibs, Serpents, Rockets, or other Fire-Works may happen to be very prejudicial to the Inhabitants of the ſaid Pariſh, and ſeveral Merchants and others intruſting their Goods and Effects there, for the prevention of which, be it therefore farther enacted by the Authority aforeſaid, That

if

if any Perſon or Perſons ſhall from and after the firſt Day of *May*, in the ſaid Year of our Lord 1709, by themſelves or White Servants, throw any Squibs, Serpents, Rockets or any other Fire-Works, in any Street, Lane or Alley within the Town of *Kingſton*, every ſuch Perſon ſo offending ſhall forfeit the Sum of Forty Shillings for every ſuch Squib, Serpent, Rocket or other Fire-Work ſo thrown, to be recovered before any Juſtice of the Peace of the ſaid Pariſh, in ſuch manner as other ſmall Debts are recoverable (not exceeding Forty Shillings) within this ſaid Iſland; one half of which Forfeiture ſhall be to the Uſe of the Informer, and the other to the Church-Wardens for the time being, to and for the uſe of the Poor of the ſaid Pariſh, or whatever other charitable uſe the Juſtices and Veſtry of the ſaid Pariſh ſhall think fit. And whatever *Mulatto*, *Indian* or Negroe, being Slaves, ſhall preſume to throw or make uſe of any Squib, Serpent, Rocket or other Fire-Work within the ſaid Town as aforeſaid, it ſhall and may be lawful for any Conſtable of the ſaid Pariſh immediatly to ſeize and take up ſuch *Mulatto*, *Indian* or Negroe ſo offending, and him or them to carry

to the publick whipping Place of the ſaid Town, and there to order ſuch *Mulatto*, *Indian* or Negroe to receive on his bare Back Thirty Nine Laſhes, and no more; which every Conſtable is hereby required to ſee done and performed, under the Penalty of forfeiting Forty Shillings for every ſuch his Neglect, to be recover'd before any Juſtice of the Peace in ſuch manner as aforeſaid; one half of which Forfeiture ſhall be for and to the uſe of the Informer, the other half to the Church-Wardens for the time being, for the uſe of the Poor of the ſaid Pariſh, any Law, Cuſtom, or Uſage to the contrary notwithſtanding. And be it alſo farther enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Town and Pariſh of *Kingſton*, from time to time and as often as there ſhall be Occaſion, to Buoy or Stake out the Channel between *Kingſton*, and *Port-Royal*, at the Coſts and Charges of the Pariſh of *Kingſton* aforeſaid. And be it alſo farther enacted, That whatſoever Perſon or Perſons, by him or themſelves, or his or their Servant or Servants, ſhall willingly or maliciouſly cut away any ſuch Buoy or Stake, or pull up the ſame, every ſuch Perſon or Perſons ſo offending, ſhall

for

for every ſuch Buoy or Stake pulled up or cut away as aforeſaid, forfeit the Sum of Fifty Pounds; one half of which Forfeiture ſhall be to the uſe of her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, and the other half to him or them that ſhall ſue for the ſame in the Supream Court of Judicature in this Iſland. And be it farther enacted by the Authority aforeſaid, That all Penalties in this Act, and not mentioned how to be diſpoſed of, or how recovered, ſhall be one half to her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, and the other half to the Informer, or him or them that ſhall ſue for the ſame, to be recovered in her Majeſty's Supream Court of Judicature in this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or *non vult ulterius proſiqui* entred, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding.

An

# An ACT

## *For Regulating Fees.*

WHereas notwithſtanding the Act for regulating Fees, ſeveral Officers of this Iſland have introduced ſeveral new Fees, and taken greater and other Fees than ſuch as were allowed by the ſaid Act, to the great Oppreſſion of the Inhabitants of this Iſland; for the Prevention whereof for the future, be it enacted by the Governour, Council and Aſſembly of this your Majeſty's Iſland of *Jamaica*, and it is hereby enacted and ordained by the Authority of the ſame, That the Fees of the ſeveral Offices and Officers in this Iſland ſhall be as follows, *viz.*

To the *Secretary*, for Recording a Common Patent for One or more Parcels of Land, Five Shillings.

For an Eſcheat Patent, Seven Shillings and Sixpence.

Each Plat, One Shilling and Threepence.

Recording a Deed the Length of a Common Patent for Land, Five Shillings.

And

And if longer Eightpence *per* Sheet, containing Twenty Lines and Eight Words to each Line.

Recording Wills, Inventories, Preſentations, Prieſts Teſtimonials, Naturalizations, and Letters of Attorney, at the ſame Rate.

For all Copies the ſame as Recording.

For each Bond for Aliens Ships, Ten Shillings.

Taking Bonds on Ships Entries, Five Shillings.

Certificate to the Naval Officer thereof, One Shilling Threepence.

If a Regiſter to be Sworn to, One Shilling Threepence.

Each Wine-Licence, Sixteen Shillings Threepence.

And Bond to it, One Shilling Threepence.

Marriage Licences, and Bonds to them, Seventeen Shillings Sixpence.

Each Proteſt under Hand and Seal, Ten Shillings.

Beſides travelling Charges at One Shilling and Threepence *per* Mile.

For obtaining the Governour's Atteſtation, if required thereto, Five Shillings.

Cer-

Certifying Bills of Lading and Atteſtations thereto, Six Shillings Threepence.

Recording Slaves Freedoms, One Shilling Threepence.

Searching and Acknowledging Satisfaction, each One Shilling Threepence.

Dockets, One Shilling Threepence.

For each Let-paſs, Five Shillings.

Tickets to go off this Iſland, Two Shillings Sixpence.

Tickets to go off this Iſland without Bonds, Five Shillings.

Permits for Ships bound away, One Shilling Threepence.

Permits for Iſland Veſſels which are to be delivered at *Kingſton* or *Port-Royal* on Demand, Sevenpence Halfpeny.

Putting up Names and Underwritings at each Place, Sevenpence Halfpenny.

Taking and Recording Renunciations, Ten Shillings.

Citations, each Name Two Shillings Sixpence.

Guardian Ships and Bonds, Eighteen Shillings Ninepence.

Caveats, Sevenpence Halfpenny.

Probates of Wills, Ten Shillings.

Dedimus and recording, Ten Shillings.

Let-

Letters of Adminiſtration and Warrants of Appraiſment, with Bonds, each Seven Shillings Sixpence.

And whereas it is neceſſary for the eaſe and ſecurity of all her Majeſty's Subjects, that all Deeds and other Writings brought into the ſaid Office ſhould be recorded in a prefixt time, be it farther enacted by the Authority aforeſaid, That the Secretary, his Deputy or Deputies, Clerk or Clerks, ſhall immediatly upon bringing of any Deeds or other Writings into the ſaid Office, ſign and give a Receipt under his Hand to the Perſon or Perſons bringing ſuch Deeds or Writings, and demanding the ſame, for which he ſhall and may demand Sevenpence Halfpenny and no more; and paying for recording the ſame, ſhall be obliged to give a Receipt for the Money ſo paid, and thereupon ſhall immediately under-write or indorſe upon ſuch Deeds or Writings the Day of their being entred in the Office or coming to his Hands, as aforeſaid; and that every ſuch Deed or other Writing ſhall be recorded fairly at length within Fifty Days after the ſame ſhall be brought into his Office, or delivered into the Hands of the Secretary or his Deputy, as aforeſaid, under the Penalty of Fifty

ty Pounds for every neglect or default, contrary to the true Intent and Meaning hereof; and that every ſuch Deeds or other Writings ſo entred as aforeſaid, ſhall be deemed and taken to be enrolled from the time of the Entry or Delivery thereof into the Secretary's Office as aforeſaid, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding. And whereas it has happened that ſome of the Laws of this Iſland have been obliterated, and ſometimes loſt, be it enacted by the Authority aforeſaid, That all and every the Acts of this Iſland now in Force, and all others hereafter to be made and paſſed, ſhall be entred and recorded in the Secretary's Office of this Iſland, in a fair Book to be kept for that Purpoſe only, under the Penalty of one Hundred Pounds, and ſuch Entry or true Copy thereof ſworn to by the Secretary before any Judge of the Supream or Grand Court, ſhall be deemed and taken to be as valid as the Original Act, and pleadable in all or any of her Majeſty's Courts of Record in this Iſland; and that the preſent Secretary or any other Secretary, or Secretaries for the time being, ſhall have and receive Twenty Five Shillings for each Act to be

be recorded as aforeſaid which hath been already paſſed, and for each Act hereafter to be paſſed Twenty Shillings, to be paid out of the publick Treaſury of this Iſland, and for all Copies the ſame as recording Deeds and Patents, to be paid for by the Perſon demanding ſuch Copies.

And be it farther enacted by the Authority aforeſaid, That the Fees of the *Supream Court* ſhall be, *viz.*

To the Judges for ſigning every Proceſs, one Shilling Threepence.

To the Clerk for a Writ of Summons, Arreſt, Replevin or Foreign Attachment, one Shilling Threepence.

For filing a Declaration and Copy of it annex'd to the Writ, Two Shillings Sixpence.

For a Bond for Foreign Attachment, Arreſts, and Replevins, and upon no other Writ whatſoever, Two Shillings Sixpence.

For a Replication or Rejoynder, Two Shillings Sixpence.

For a Common Plea, Sevenpence Halfpenny.

For a Special Plea, Two Shillings Sixpence.

For

For Recording a Judgment, Two Shillings Sixpence.

For a *Venire Facias*, Sevenpence Halfpenny.

For a *Habeas Corpus*, by Order of Court, Two Shillings Sixpence.

To the Clerk for receiving every Verdict and Continuance, each Sevenpence Halfpenny.

For a *Retraxit* or Nonſuit recorded, each one Shilling Threepence.

For a Writ of Poſſeſſion, Sezin or Reſtitution, each Five Shillings Sevenpence Halfpenny.

For Executions and Venditions, Two Shillings Sixpence.

For a *Subpœna*, in which the Names of three Witneſſes may be inſerted, One Shilling Threepence.

For a Recognizance or Depoſition taken in Court, One Shilling Threepence

For entring Satisfaction upon Record or *Superſedeas*, Two Shillings Sixpence,

For taxing Coſts, One Shilling Threepence.

For a Commiſſion of Reference to Auditors, Five Shillings.

For a Writ of Enquiry, *Scire facias* and returning the Record upon Writ of Error, Two Shillings Sixpence.

For

For Warrant of Attorney in each Cauſe as has been uſual, Seven Pence Halfpenny.

For entring the Report of Auditors, and for the Exemplification of a Record, each Five Shillings.

For every Judgment confeſſed out of Court to the Clerk, Two Shillings Sixpence.

For every other Writ iſſuing out of the ſaid Court, one half to the Judge, the other half to the Clerk, Five Shillings.

To the Cryer of the Grand Court for very Witneſs Sworn, Seven Pence Halfpenny.

And for calling out the Defendant, where the Action goes by default, One Shilling Threepence.

And it is farther enacted and ordained by the Authority aforeſaid, That in Caſe of the Death or Diſability to act of any Chief Judge of this Iſland for the future, it ſhall and may be lawful for the next Aſſiſtant Judge to ſign all Writs, and in every thing elſe to act and do for the expediting and diſpatch of Juſtice, in as full and ample manner as the Chief Judge himſelf might or could have done, until a new Judge

ſhall be appointed, or the Diſability removed. And whereas the like Inconveniencies may happen by the Death of any Provoſt Marſhal of this Iſland, between the Teſt and Return of Writs, ſo as all ſuch Proceſs may be entirely loſt, to the great delay and expence of the Subject in reviving ſuch Proceſs, be it therefore farther enacted by the Authority aforeſaid, That in Caſe of the Death or Removal of any Provoſt-Marſhal for the future, ſo as he may be rendered incapable to make return of Writs, the ſucceeding Provoſt-Marſhal is hereby authorized and empowered to make return of the ſame, and in every thing elſe to act and do as fully and effectually as the preceding Provoſt-Marſhal could have done, firſt having given ſecurity to the preceding Provoſt-Marſhal or his ſecurity to indemnify them, and taking the ſame himſelf of the reſpective Marſhals, and in all other reſpects qualify'd himſelf as by the Law of this Iſland is required, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And be it farther enacted and ordained by the Authority aforeſaid, That no Clerk of the Supream Court, or any other Perſon who ſhall Officiate the ſaid Office, ſhall deliver

deliver out to any Lawyer, Attorney, Solicitor, or any other Perſon or Perſons, any Writ whatſoever, until a Declaration be filed in the Clerk's Office for the ſame, except Warrants of Arreſts and *Subpœnas*, under the Penalty of Five Pounds for every Writ ſo given out. And it is hereby farther enacted by the Authority aforeſaid, That the *Provoſt-Marſhal's Fees* be, for every Commitment and Releaſment, either in Common Law or *Chancery*, each Two Shillings Sixpence.

For Dyet and Lodging as the Priſoner can agree, or to find himſelf, or if the Priſon-Allowance *per* Day, Seven Pence Halfpenny.

For executing any Writs in the Town of St. *Jago de la Vega*, Two Shillings Sixpence.

For an Arreſt on Board of Ship, beſides Boat-Hire, Five Shillings.

And in any other Place, beſides Mile-Money, Five Shillings.

For exempting a Writ of Poſſeſſion, Seizin, Writ of Eſcheat, *Ceſſavit* or Aſſignment of Dower or Partition, Ten Shillings, and Mile-Money after the rate of Sixpence *per* Mile to the place where the Writ is executed.

For ſummoning a Jury to execute a Writ of Poſſeſſion, Eſcheat, *Ceſſavit* or Aſſignment of Dower or Partition, within the Town of *Jago de la Vega*, *Kingſton*, or *Port-Royal*, or within five Miles of any of the ſaid Towns, Three Pounds.

If above five Miles, Five Pounds.

For the Return of a *Habeas Corpus cum Cauſa*, if in the Town of St. *Jago de la Vega*, Two Shillings Sixpence.

For his Attendance on the Priſoner to any other Place *per* Day, Four Shillings Four Pence Halfpenny.

For Summoning a Special Jury, Six Shillings Threepence.

For the Return of a *Venire Facias*, One Shilling Threepence.

For every Bond with Sureties for Appearance to be paid by the Defendant, Seven Pence Halfpenny.

For Allowance of a *Superſædeas*, One Shilling Threepence.

For a Copy of a Warrant, Seven Pence Halfpenny.

For Executing all Writs of Enquiry, Writs of Partition, *Proprietate Probanda*, forcible Entry and Writs of Poſſeſſion, each Ten Shillings, and Mile Money at and after the Rate of Sixpence *per* Mile.

For

For Serving every Summons at Common-Law or Foreign Attachment, beſides Mile-Money, Two Shillings Sixpence.

For his Fees upon each Verdict, Two Shillings Sixpence.

For Serving all Summons and other Writs at Common-Law and all other Writs iſſuing out of the Court of Chancery, to him directed, Two Shillings Sixpence each Writ, beſides Mile-Money at Threepence *per* Mile, except all Writs of Election, for which ſhall be paid ſuch Fee or Fees as the Governour and Council for the Time being ſhall think fit to order and appoint.

For every Search in the Provoſt-Marſhal's Books, One Shilling Threepence.

For each Licence to ſell Drink, Sixteen Shillings Threepence.

For levying a Debt by Execution for the firſt Hundred Pound and under, at the Rate of Twelvepence *per* Pound, and for all Sums over and above One Hundred Pounds Sixpence in the Pound, and no more, and that he take no more Fees than for the Money that is really due to the Plaintiff, without any Pretence of Mile-Money or any other Charge whatſoever.

For an Aſſignment of a Bail-Bond, Two Shillings Sixpence.

For Diſburſting his Money for taking up Runaway Negroes which are brought to Priſon, Two Shillings Sixpence in the Pound.

For Dyet for every Negroe *per* Day, Sixpence.

For Executing every White Perſon, Five Pounds.

For Executing every Slave, One Pound, and Mile-Money after the Rate of Sixpence *per* Mile to the Place where the Slave is ſent to be executed, to be paid together with the Priſon Fees by the Church-Wardens of the Pariſh to which the Slaves belong. To the Bailiff that keeps the Jury for every Action try'd, One Shilling Threepence.

For ſerving all Proceſs iſſuing out of the Supream Court (*Subpœnas*, Executions and Venditions only excepted) *per* Mile Threepence, which Miles aforeſaid ſhall be accounted from the Supream Court to the ſeveral Places where the Writs ſhall be ſerved, according to the common Computation. And it is hereby enacted and ordained by the Authority aforeſaid, That the Clerk of the Supream Court, the Marſhal nor any other

ther Perſon whatſoever ſhall hereafter for any Action where the Verdict of the Jury ſhall not amount to above Twenty Pounds (excepting where Titles of Land are try'd) take any other or greater Fees than what are allowed in the Petty Courts of this Iſland, under the Penalty of One Hundred Pounds Currant Money, to be recovered by Action of Debt in any Court of Record of this Iſland, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed; one Moyety whereof ſhall be to our Sovereign Lady the Queen, her Heirs and Succeſſors for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, the other Moyety to the Party aggrieved, or to him or them that ſhall ſue for the ſame.

That the Fees of the *Inferior Courts* ſhall be to the Jury upon each Verdict, Two Shillings Sixpence.

For a Summons, Seven Pence Halfpenny.

For confeſſing Judgment out of Court, One Shilling Threepence.

For copying and filing a Declaration, each One Shilling Threepence.

To the Judge for ſigning any Proceſs, One Shilling Threepence.

For entring a Plea, Replication or Rejoynder, each One Shilling Threepence.

For a *Capias*, One Shilling Threepence.

For a Summons for a Jury, Sevenpence Halfpenny.

To the Clerk for recording the Verdict and entring Judgment, each One Shilling Threepence.

For a *Retraxit*, Diſcontinuance or Nonſuit and recording the ſame, each One Shilling Threepence.

For an Execution and Vendition, each Two Shillings Sixpence.

For a *Scire Facias*, Two Shillings Sixpence.

For an Exemplication of a Record, Five Shillings.

To the Cryer for every Verdict, One Shilling Threepence.

For a *Subpæna*, One Shilling Threepence.

For certifying a Record upon a Writ of Error, Five Shillings.

For a Commiſſion to and return of Auditors, each Five Shillings.

For every Bond taken upon Warrant of Arreſt or Replevin, each One Shilling Threepence.

For

For filing a Warrant of Attorney, Sevenpence Halfpenny.

For a Continuance each Court and Replevin, each One Shilling Threepence.

For acknowledging Satisfaction upon Record and Taxing Coſts, each One Shilling Threepence.

To the Cryer for every Witneſs Sworn, Sevenpence Halfpenny.

Provided always and it is farther hereby enacted and ordained by the Authority aforeſaid, That none of the Inferior Courts intermeddle with or determine any Actions whatſoever where Titles of Land or Negroes are concerned, any Law, Cuſtom or Uſage to the contrary notwithſtanding.

And be it farther enacted by the Authority aforeſaid, That the Judge or Judges of any of the Inferior Courts of this Iſland, ſhall have like Power and Authority to iſſue out Foreign Attachments for any Sum of Money under Twenty Pounds, as the Chief Judge of the Supream Court now hath by an Act of this Iſland, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And be it farther enacted by the Authority aforeſaid, That the Fees of the Marſhals of the Inferior Courts be for the Return

of

of a *Cepi Corpus Nulla Bona non eſt Inventas*, each Sevenpence Halfpenny.

For the Return of a Proclamation, One Shilling Threepence.

For the Return of a *Habeas Corpus*, Two Shillings Sixpence.

For every Name returned upon an Exigent, Seven Pence Halfpenny.

For the Return of a Record upon Writ or Error, Two Shillings Sixpence.

For Serving every Proceſs *per* Mile, Threepence.

For Serving a Replevin, One Shilling Threepence.

For Releaſe of a Fellon, One Shilling Threepence.

For every Commitment and Releaſement, each One Shilling Threepence.

And be it enacted and ordained by the Authority aforeſaid, That the Clerks of the Crown and Peace for the ſeveral and reſpective Courts and Seſſions within this Iſland, ſhall be obliged and are hereby required to return to the Provoſt-Marſhal General Eſtreats of all Fines, Forfeitures and Amerciaments whatſoever, not taken off, which ſhall be impoſed in any of the ſaid Courts, within One Month after each Court or Seſſions, under the Penalty of Twenty Pounds

Pounds for every Default; to the End the Provoſt-Marſhal for the Time being may deliver Copies of the ſame to her Majeſty's Attorney-General and Receiver-General for the Time being, in order to obtain Proceſs for levying the ſame, which he is required to do in One and Twenty Days; and after the Receipt of any Monies by him ſo levy'd to pay the ſame forthwith into the Hands of the Receiver-General for the Time being. And in Caſe the Provoſt-Marſhal ſhall neglect to pay into the Hands of the Receiver-General for the Time being, any ſuch Fines, Forfeitures or Amerciaments within Twenty Days after the Receipt thereof, he ſhall forfeit for every ſuch Offence the Sum of One Hundred Pounds.

That the Coroner's Fees be for each Inquiſition taken on the Body of any Perſon that came by an untimely Death, to be paid out of the Eſtate of the Perſon deceas'd, and where no Eſtate is found, then to be paid by the Church-Wardens of the Pariſh where the Inquiſition is taken, Three Pounds.

To the Juſtices of the Peace for every Warrant, One Shilling Threepence.

For

For every Examination, Affidavit, *Mittimus* and Releaſe; each One Shilling Threepence.

For every Recognizance, Two Shillings Sixpence.

To the Conſtable for every Warrant ſerved, One Shilling Threepence.

That the Clerk of the Crown's Fees be for every Indictment return'd *Billa Vera*, One Pound.

And for ever Bill *Ignoramus*, Twelve Shillings Sixpence.

That the Clerk of the Peace's Fees be for an Order of Seſſions for a Licence to ſell Rum and Rum Punch, and Bond, Seven Shillings Sixpence.

For every Preſentment returned *Billa Vera*, Twelve Shillings Sixpence.

For every Bill returned *Ignoramus*, Seven Shillings Sixpence.

For the Tryal of Negroes, Ten Shillings.

And for every Days Attendance after the firſt, Five Shillings.

For every Recognizance, Two Shillings Sixpence.

For filing or entring the ſame or any other Recognizance, Two Shillings Sixpence.

That

That the Fees of the Great Seal be, for the Seal for every Hundred Acres of Land Patented Ten Shillings, and ſo in proportion for a greater or leſſer quantity; for Foot Land Five Shillings not exceeding Fifty Foot Square, adding two ſides of the Square together, and Ten Shillings for every Hundred Foot or any other Number above Fifty Feet.

For every Order granted for taking up Land Two Shillings Sixpence *per* Hundred and no more, and ſo in proportion for a greater or leſſer Number of Acres.

For ſealing a Writ of Exemption of a Decree, *Subpæna* or other Proceſs, Sevenpence Halfpenny.

That the Fees in *Chancery* be for an Affidavit or Oath to anſwer, taken before a Maſter in Chancery, One Shilling Threepence.

For all other Affidavits, One Shilling Threepence.

For taxing a Bill of Coſts, Five Shillings.

To the Governour, for every Oath taken before him as Governour or Ordinary, One Shilling Threepence.

That the Clerk of the Chancery and Patents Fees be for Regiſtring every Bill, Anſwer or any other Proceedings,

Eight

Eightpence *per* Sheet, accounting Eight Words to a Line and Twenty Lines to a Sheet; and where there are more Plaintiffs or Defendants than one in any Cauſe, that no more than one Copy of the Bill, Anſwer or any other Proceedings ſhall be charged by the Regiſter, or taxed in any Bill of Coſts.

To a *Subpæna* in which the Names of three Witneſſes may be inſerted, Two Shillings Sixpence.

For an Attachment, Two Shillings Sixpence.

For a Writ of Inquiſition, Bond and Attendance, Five Shillings.

For a Commiſſion, Six Shillings Tenpence Halfpenny.

For a Decree and Copy thereof, Six Shillings Threepence, if not above ſix Sheets; if above, Eightpence *per* Sheet, Twenty Lines to a Sheet and Eight Words to a Line.

For a *Dedimus*, Five Shillings.

For a *Juſticias*, Five Shillings.

For Money lodging in Court, Sixpence *per* Pound.

For entring an Order of Court, One Shilling Threepence.

For a Copy of a Minute of one Cauſe in one Chancery Day, One Shilling Threepence.

For

For an Oath taken in Court, One Shilling Threepence.

For filing any Proceedings, One Shilling Threepence.

For entring an Appearance, One Shilling Threepence.

For a Certificate of each parcel of Land reſigned to the Queen, Five Shillings.

For every Eſcheat, Patent and Bond, One Pound.

And for all other Patents, Ten Shillings.

And if any more parcels of Land than one in a Patent, Fifteen Shillings and no more.

For Searching, One Shilling Threepence.

For a Docket, One Shilling Threepence.

For a Plat, Two Shilling Sixpence.

For a *Caveat*, One Shilling Threepence.

For a Commiſſion of Rebellion, Twelve Shillings Sixpence.

For all other Writs iſſuing out of the Chancery, each Five Shillings and no more.

And be it hereby enacted, that all Chancery-Proceſs, except Attachments, may

may be ſerved by any Perſon as heretofore; That the Attorney General's Fee be for each Common Patent where there is but one parcel of Land, one Pound; and if more parcels of Land be contained in a Patent, then One Pound Ten Shillings; for an Eſcheat Patent Five Pounds, and no more; for each *Fiat* Ten Shillings; for a Pardon Five Pounds; and for all proſecutions at the Queen's Suit and other proceſs relating thereto, as the Governour and Council for the time being ſhall direct.

That the Receiver-General's Fees be ſuch as are appointed by the Quit-Rent Act, as alſo for entring and clearing all Veſſels that come from Foreign Parts Five Shillings each, for every Bond taken in his Office Two Shilling Sixpence, for entring and clearing all Veſſels that go Trading to other Countries One Shilling Threepence each. Provided always, that no Turtlers nor other Veſſels Trading about this Iſland ſhall pay any Fees.

That the Naval Officer's Fees be for entring all Ships from abroad to this Iſland from the Northward of the Tropick of *Cancer*, Two Shillings Sixpence.

For clearing each ſuch Veſſel Two Shillings Sixpence.

For

For examining and recording Certificates, that Bonds are given according to the Act of Navigation in *England*, Five Shillings.

For every Bond taken here not to break the ſaid Act, with Dublicate of the ſame, Five Shillings.

For examining all Cockets, Bills of Store and Certificate of the Freedom of the Ships and Veſſels trading to this Iſland, Two Shillings Sixpence.

For taking an Account of all Veſſels trading to this Iſland, Two Shillings Sixpence.

For adminiſtring the Oath appointed by an Act of the Country to the Maſters of *Madera* Veſſels that import Wines, One Shilling Threepence.

For entring and clearing all Veſſels trading about this Iſland (except Turtling Sloops, which ſhall be and are hereby exempted from paying any thing) One Shilling Threepence.

For every Oath adminiſtred, One Shilling Threepence.

For every Warrant of Survey, Two Shillings Sixpence.

For the Return, Two Shillings Sixpence.

For a Certificate that the Goods of the Growth of *Europe* were ſhip'd from hence to any of the Colonies in North *America* and the Oath, Eight Shillings Ninepence.

For Regiſtring all Ships purſuant to an Act of Parliament, entitled, *An Act for preventing Frauds and Regulating Abuſes in the Plantation Trade*, Five Shillings.

That the Collector's Fees be, for entring and clearing all Veſſels trading beyond the Tropick of *Cancer*, and Certificate given of their Lading, Five Shillings.

For entring and clearing all Veſſels trading to *Guinea*, with Bonds and Certificates of paying Ten *per Cent.* and adminiſtring the Oath, Ten Shillings.

For entring all Invoices of Goods returned from *Guinea* and adminiſtring the Oath, Two Shillings Sixpence.

For ſigning the Regiſter of all Veſſels and recording the ſame, Five Shillings.

For ſigning a Certificate, Five Shillings.

For Regiſtring the Company of every Three Maſt Veſſel, Five Shillings.

And for Regiſtring every other Veſſel or Sloops Company (except turling Sloops and Veſſels trading round this Iſland, which

which ſhall not pay any thing for ſuch Regiſter or altering the ſame) Two Shillings Sixpence.

That the Fees of the Admiralty be, to the Judge or Judges and other Officers of the Court on the Condemnation or Acquittal of every Veſſel ſeized for breach of any of the Acts of Navigation or Trade, for every Veſſel under One Hundred Tons, Ten Pounds.

And for every Veſſel of One Hundred Tons or upwards, Fifteen Pounds; to be diſtributed amongſt the Judges or other Officers in ſuch manner as is allowed by an Act of Parliament, entitled, *An Act for the Encouragement of the Trade to* America.

To the Regiſter for a Copy of a Condemnation, One Pound.

For a Warrant of Appraiſement under the Seal of the Admiralty, Ten Shillings.

That the Clerk of the Market's Fees be, for every Beef and Veal killed, One Shilling Threepence.

For every Mutton, Lamb, Goat, Turtle, Hog or Kid, each Sevenpence Halfpenny.

Where any Diſputes ſhall ariſe about Weights between the Buyer and Seller, and Complaint be made to the Clerk

to decide it by Weighing at his Scales, to be paid for each Draught by the Party in the wrong, One Shilling Threepence.

For marking every Pot, from the Gill to the Gallon, Twopence.

For marking all Weights, from the Ounce to the Half Hundred Weight Groſs, Twopence.

For ſealing every Ell or Yard, Twopence.

Provided always, That no Fees ſhall be taken for Weights and Meaſures as aforeſaid above once every Year, and that only in each Market, Retailers Beings and Habitations within this Iſland, except Weights belonging to Wharfingers and Storehouſe-keepers, which ſhall be weighed ſometime in the Months of *February* and *June* every Year by the Clerk of the Market; and that no Stillyards be made uſe of in any Markets, Retailers or Huckſters Shops, under the Penalty of Twenty Shillings for each time ſo made uſe of; one half of ſuch Forfeitures to be to the Poor of the Pariſh, the other to the Informer or him that ſhall ſue for the ſame before any Juſtice of the Peace.

Pro-

Provided always, That the Clerk of the Market, or other Perſon officiating under him, ſhall not take or demand any of the Fees aforeſaid for killing of Meat, but of ſuch Perſons as ſhall ſell in the ſaid Market; nor ſhall preſume to officiate in his ſaid Office until he has qualify'd himſelf as by an Act for Regulating Fees is required; nor ſhall ask, demand or receive any of the Fees beforementioned, unleſs he conſtantly attends by himſelf or Deputy during the time of the Market, under the Penalty of Forty Shillings for every ſuch Offence, to be recovered before any Juſtice of the Peace, one half to the Informer, the other half to the Poor of the Pariſh. And that no Butcher or Turtler ſhall ſell any Turtle or Meat by Retail, but in open Market, under the Penalty of Forty Shillings, to be recovered before any Juſtice of the Peace for the Poor of the ſaid Pariſh.

And it is hereby enacted by the Authority aforeſaid, That the Surveyor's Fees ſhall be for entring the Order into his Book, One Shilling Threepence.

For ſurveying or reſurveying, Twopence *per* Acre, all *Savana* level or clear Ground; and for Wood-Land Fourpence *per* Acre; and Ten Shillings for each Day

hindred or delay'd for drawing the Plat with Fieldwork, which they ſhall be obliged to deliver with their Plat, Ten Shillings.

For ſurveying Houſe or Land at St. *Jago de la Vega*, *Port-Royal*, *Kingſton*, *Paſſage Fort*, or any other Bay or Harbour, if not exceeding One Hundred Twenty Feet, and ſo in proportion for a greater quantity of Foot-Land, Ten Shillings.

To the Clerk of the Warrants for drawing a Warrant for the Seal, Four Shillings Fourpence Halfpenny.

That the Lawyers Fees be, for drawing a Declaration, Five Shillings.

For each Copy, Two Shillings Sixpence.

For a pleading Fee, Five Shillings.

For drawing every Bill, Anſwer, Plea, Demurrer, Replication, Rejoinder and all other proceedings in Equity, each Two Pounds.

For Engroſſing the ſame, One Pound

For every Motion made or defended in the Court of *Chancery*, upon which any Order is made, Ten Shillings.

For Arguing Exceptions, a Plea, Demurrer or the Clauſe at hearing, One Pound.

And

And to the intent that no Perſon be impoſed upon or obliged to pay any greater or other Fees than what are herein mentioned, expreſſed and ſet down, be it farther enacted by the Authority aforeſaid, That a fair written Table of the Fees allowed and eſtabliſhed by this preſent Act to be taken in the reſpective Offices in this Iſland, ſhall be conſtantly and publickly kept up in the ſeveral Offices following, *viz.* the Secretary's Office, Provoſt-Marſhal's Office, Clerk of the Crown, Clerk of the Grand Court, Regiſter of the *Chancery* Office, Clerk of the Patents, in the Regiſter of the Admiralty's Office, Naval Office, Collector and Receiver General's Office; and in caſe any Officer or Officers ſhall neglect or delay, within Forty Days after the paſſing this Act, to fix and ſet up Tables of their Fees, as they are hereby ſettled and eſtabliſhed, every ſuch Officer or Officers neglecting, omitting or delaying to do the ſame, ſhall forfeit the Sum of One Hundred Pounds, to be recovered in any Court of Record of this Iſland, by Action of Debt or otherwiſe; one Moyety whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of

this Iſland and the contingent Charges thereof, the other Moyety to the Informer or him or them that ſhall ſue for the ſame.

And in caſe any Officer, or any other Perſon for them, ſhall on any pretence whatſoever preſume to ask, take, demand or receive any greater or other Fees, Sum or Sums of Money, or other Reward, ſave what is herein before preſcribed (always except what ſhall be voluntarily given or allowed to Lawyers or Practitioners at Law by their Clyents) every ſuch Officer, Perſon or Perſons ſo asking, demanding, taking or receiving, ſhall for every ſuch Offence reſpectively, forfeit the Sum of One Hundred Pounds; one Moyety whereof ſhall be to her Majeſty, her Heirs and Succeſſors, for and towards the Support of the Government of this Iſland and the contingent Charges thereof, the other half to the Informer or him or them that ſhall ſue for the ſame, and be farther incapacitated to bear any ſuch Office or ſuch Place of Truſt, and ſuch Lawyer or Attorney ſhall be incapable of Practicing any more in any of the Courts of this Iſland. Provided always, That if any Fee or Fees appointed by any Act of this Country, or by any Statute or Law in force in this

this Iſland, and not hereby repealed, for any breach of any Duty incumbent on any Officer or other Perſon, and ſhall not be particularly ſpecified in this Act, it ſhall and may be lawful for ſuch Officer or other Perſon to take ſuch Fees as by ſuch Law or Statute is appointed; and ſuch Officer or Officers ſhall add ſuch Fee or Fees by him or them ſo taken to the Liſt of his Fees fixt up in his Office according to the directions of this Law, together with a Minute of the Act or Statute Warranting the ſame, to the end that ſuch Fee or Fees, if any ſuch be omitted, may hereafter be annex'd to ſuch Office by a Supplementary Act at any future Seſſions of the Aſſembly. And provided alſo, That the Penalties in this Law ſhall not extend to the Parochial Officers, for taking their Fees for their Duty in their reſpective Pariſhes, ſuch as ſhall be appointed them by the Juſtices and Veſtry.

And be it farther enacted by the Authority aforeſaid, That no *Jew*, *Mulatto*, *Indian* or Negroe ſhall be capable to officiate or be employ'd to write in or for any of the above Offices upon any pretence whatſoever; and every Officer in the ſaid Offices, or any of them who ſhall

ſuffer

ſuffer ſuch Perſon or Perſons ſo incapacitated to write or be employ'd in or for any of the ſaid Offices, for every ſuch Offence contrary to the true Intent and Meaning of this Act, ſhall reſpectively forfeit the Sum of One Hundred Pounds Currant Money of this Iſland; the one half whereof ſhall be to the uſe of her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, the other Moyety to the Informer or him or them that ſhall ſue for the ſame, wherein no Eſſoign, Protection or Wager of Law ſhall be allowed, or *Non vult ulterius proſequi* be entred, any Law, Cuſtom or Uſage to the contrary notwithſtanding. And be it farther enacted by the Authority aforeſaid, That all Coſts at Law ſhall be taxed by the Clerk of the reſpective Courts where ſuch Actions ſhall be ſued, upon Application to them made, before any Lawyer or other Perſon ſhall pretend to ask and demand ſuch Coſts or take out Exemption for the ſame; and whatſoever Lawyer ſhall offer any Bill of Coſts at Common Law or in Equity, or receive his Money thereon, not having been firſt taxed as aforeſaid, ſhall reſpectively forfeit for every Offence

the

the Sum of Five Hundred Pounds; one half whereof ſhall to her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, and the other Moyety to the Informer or to him or them that ſhall ſue for the ſame. And that all Bills of Coſts in *Chancery* ſhall alſo be taxed by the Clerk of the *Chancery*, upon Application to him made; and in Caſe any Perſon or Perſons ſhall tax, inſert or allow of any more or other Fees in any Bill or Bills of Coſts ſo to be tax'd as aforeſaid, ſave what are before mentioned, every Perſon or Perſons ſo taxing, inſerting or allowing ſuch Fee or Fees, contrary to the true Intent and Meaning hereof, ſhall for every ſuch Offence forfeit the Sum of Five Hundred Pounds; one half to her Majeſty, her Heirs and Succeſſors, for and towards the ſupport of the Government of this Iſland and the contingent Charges thereof, the other Moyety to him or them that ſhall inform or ſue for the ſame; provided that each proſecution be within two Years after ſuch Offence given. Provided alſo, That it ſhall and may be lawful for the Maſters in *Chancery* to Tax all ſuch Bills as ſhall be due to Lawyers

upon

upon Cauſes already determined as formerly, according to the Rules of Court; provided ſuch Bills as aforeſaid be taxed within three Months after the Day of paſſing this Act.

And be it farther enacted by the Authority aforeſaid, That all and every Clauſe and Clauſes (particularly Enumerating Fees only) in any former Act or Acts for Regulating Fees, ſhall be and are hereby repealed, annulled and made void to all Intents and Purpoſes whatſoever, any thing herein contained or in any former Act to the contrary notwithſtanding. Provided always, and it is the true Intent and Meaning of this Act, that nothing herein contained ſhall be deemed or conſtrued ſo as to hinder or abridge any of the Judges of the ſeveral Courts within this Iſland to make, order and eſtabliſh all ſuch Rules and Orders (adding and altering Fees only excepted) as ſhall be neceſſary for the well Regulating the ſaid Courts, but they ſhall reſpectively have the ſame Power therein as they ought or could have before the making of this Act, any thing herein contained to the contrary in any wiſe notwithſtanding.

An

# An ACT

*For the farther quieting Poſſeſſions, and preventing Vexatious Suits at Law.*

WHereas by the Earthquake and Fire at *Port-Royal*, and by many other Accidents, ſome Records of this Iſland have been utterly deſtroy'd and loſt; and whereas ſeveral Titles heretofore made of Lands and other Things, by want of Skill and Knowledge in thoſe that drew Conveyances for the ſame, may admit of Diſputes and Suits in Law and Equity; to the Intent therefore that Vexatious Suits both in Law and Equity may be prevented, the Inhabitants eas'd, and the publick Good advanced, be it enacted by the Governour, Council and Aſſembly of this her Majeſty's Iſland of *Jamaica*, and it is hereby enacted by the Authority of the ſame, That from and after the firſt Day of *November* next enſuing, all Poſſeſſors of Lands, Houſes, Tenements, Negroes or other Hereditaments, by virtue of any Patent, Deed, Aſſignment or Conveyance whatſoever made,

made, or by Virtue of any Order formerly granted, who have been in the peaceable Poſſeſſion without Suit, Claim or Interruption, for the ſpace of ſeven Years before the making of this Act, or ſhall continue in ſuch Poſſeſſion from the firſt poſſeſſing of the ſame, by themſelves or thoſe under whom they claim, for and during the ſpace of ſeven Years, ſhall have and enjoy ſuch Eſtate reſpectively, and hold the ſame in Fee againſt all Perſons whatſoever, and give this Act in Evidence, or plead it in Bar in any Suit or Suits, to be maintained by or brought againſt him her or them, by her Majeſty, her Heirs or Succeſſors, or any other Perſon or Perſons whatſoever, and againſt all and every Entry, Claim and Demand whatſoever, which ſhall be and are reſpectively bar'd hereby. Provided nevertheleſs, That Infants, Woman under Coverture, Perſon of *non ſane* Memory, and Perſons out of this Iſland, ſhall have liberty by themſelves, their Agents or Attorneys, to commence their Actions reſpectively within ſuch times after the diſability removed, as are reſpectively herein after limited; (that is to ſay) Infants within five Years after they come to the Age of Twenty One Years,

Years, Woman under Coverture within five Years after the Death of their immediate Husbands, Perſons of unſound Memory within five Years after they become of ſound Minds and Memories, and Perſons of full Age out of this Iſland within five Years from the Date of this Act; or otherwiſe ſuch Perſons are hereby declar'd to be bar'd for ever according to the true Intent and Meaning of this Act, any Law, Cuſtom or Uſage to the contrary notwithſtanding. Provided alſo, That nothing in this Act contained ſhall be any ways deem'd or conſtrued to extend to extinguiſh, bar, diſannul or make void the reſervation of any Rents and Services heretofore reſerv'd, or which hereafter ſhall be, or ought to be, or to have been reſerv'd to the Queen's Majeſty, her Heirs and Succeſſors, in and by any Letters Patent, for and in reſpect and by reaſon of any Lands, Tenements or Hereditaments therein contained, or any Right accruing to her Majeſty in any Lands, Tenements or Hereditaments, by any Forfeiture that may have been or ſhall be incurr'd by reaſon of the Non-performance of Conditions in Deed or in Law, or the Covenants contained in any Grant or Grants

of

of the Crown made or to be made. Provided alſo, that all Poſſeſſors or Proprietors of Lands, holding by Order as aforeſaid, ſhall within one Year after the paſſing of this Act take out Patents for the ſame, and pay ſuch Quit-Rents as ſhall be due thereupon from the time of the great Earthquake, or otherwiſe ſhall not be entitled to any Advantage by this Act, any thing therein contained to the contrary notwithſtanding. Provided alſo, That this Act, or any thing therein contained, ſhall not extend to be deem'd, held, taken or conſtrued to extend to confirm to give Title to any Mortgage or Leaſes of any Lands, Negroes or other Slaves Mortgaged or in Leaſe, or to any other Perſon or Perſons to any Lands, Negroes or other Slaves by him, her or them poſſeſſed, as Attorney or Guardian, or otherwiſe in Right of another, or to any particular Uſe, Truſt, Curteſy, Dower, Eſtate for Years or for Life or Entail, or to any Perſon or Perſons whatſoever claiming or to claim from by or under any Mortgages or Leaſes, or to any Attorney or Guardian or other Perſon ſeized or poſſeſſed to the uſe or in truſt for another, or under ſuch Tenants, by the Curteſy in Dower for Years or for Life; but

but that the ſame remain and be to all Intents and Purpoſes as before the making of this Act, any thing therein contained to the contrary in any wiſe notwithſtanding. Provided alſo, that where there are two or more Patents for the ſame Lands and Tenements in being, that nothing in this Act contained ſhall extend or be conſtrued to extend to confirm the Right or Title of any latter Patentee, or of any Perſon or Perſons claiming from by or under him, to the prejudice of any prior Patentee, or any Perſon or Perſons claiming from by or under ſuch prior Patentee. And whereas through the neglect of many Perſons, Satisfaction hath not been enter'd of Record in due form of Law upon Judgments obtained, tho' they have been fully ſatisfied; and to the end that vexatious Suits at Law in relation thereto may be prevented, and that all dormant Bills, Bonds, Judgments, and other Securities for Money, which have not hitherto been or ſhall not be legally demanded in a convenient time, may become void, be it enacted, and it is hereby enacted by the Authority aforeſaid, that all Bills, Bonds and Mortgages, whereon no Intereſt hath been paid, and Judgments, Recognizances, Fines and Amerciaments,

ciaments, and all and every other Writing and Writings obligatory whatſoever, which have not been legally demanded within the Space of Twenty Years laſt paſt, ſince the Dates thereof reſpectively, or ſince the laſt payment of Intereſt upon ſuch Bills, Bonds and Mortgages, and that ſhall not be legally demanded within the ſpace of Five Years from and after the paſſing of this Act, ſhall be and are hereby declared to be null and void, to all Intents, Conſtructions and Purpoſes whatſoever, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding. And be it farther enacted by the Authority aforeſaid, That all Bills of Sale, Deeds and other Conveyances whatſoever, at any time heretofore made, and duly executed, acknowledged, prov'd, and recorded, purſuant to the true Intent and Meaning of an Act of this Iſland, entitled, *An Act for prevention of Law Suits*, altho no valuable Conſideration be therein reſpectively inſerted, and all Deeds and other Conveyances whatſoever herein after to be made for valuable Conſideration, of any Lands, Tenements, Negroes and Hereditaments, within this Iſland, (excepting ſuch as have or ſhall be made by Infants during their

their Infancy, and Perſons of *Non ſane* Memory during the time they continue ſo) ſuch Lands, Tenements, Negroes and Hereditaments, are hereby enacted and declared to have paſſed and to be conveyed by the ſame, as fully to all Intents and Purpoſes, as any real Eſtate in the Kingdom of *Great-Britain* might or could paſs by Fine and Recovery in her Majeſty's Court of *Common Pleas* in *Weſtminſter Hall*, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding.

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## An ACT

*For the more effectual raiſing Parties, to purſue and deſtroy Rebellious and Runaway Slaves.*

WHereas diverſe Rebellious and Runaway Slaves have formed themſelves into ſeveral Bodies and Parties, and have killed ſeveral of the Inhabitants of this Iſland, burnt and deſtroyed ſeveral Houſes, Plantations and Out-Settlements, daily commiting Robberies and

other Miſchiefs, increaſing conſtantly in their Number; which if not ſpeedily prevented, and due Care taken for the ſuppreſſing of them, may prove of fatal Conſequence to this Iſland, be it therefore enacted by her Majeſty's Lieutenant-Governour, Council and Aſſembly of this Iſland, and it is hereby enacted and ordained by the Authority of the ſame, That it ſhall and may be Lawful to and for her Majeſty's Lieutenant-Governour, or the Governour or Commander in Chief for the time being, to raiſe and appoint four ſtanding Parties, for and towards the ſuppreſſing and reducing the ſaid Rebellious Negroes, each Party whereof to conſiſt of a Captain, fourteen White Men and five Armed Slaves, ſuch as the Captain or Captains ſhall think fit to inliſt.

And be it farther enacted by the Authority aforeſaid, That as ſoon as ſuch Party or Parties ſhall be raiſed, that ſuch Captain or Captains, with the reſpective Perſon or Perſons under his and their Command, ſhall proceed to attack, kill and deſtroy all and every ſuch Runaway or Rebellious Slaves, which they ſhall find, be inform'd or in purſuit of; which ſaid Parties ſhall be kept in the Wind-

ward

ward Parts of this Iſland (*viz.*) St. *Davids* St. *Thomas* and St. *George's*. And for the more effectual ſuppreſſing of the ſaid Rebellious Slaves, be it enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for the Lieutenant-Governour, or Commander in Chief for the time being, and to and for the Colonel or the Commanding Officer of every Regiment of this Iſland, upon Notice to him or them given, to raiſe and ſend out ſuch other Party or Parties (beſides the ſaid four Parties herein beforementioned) as ſhall be thought convenient, for the more ſpeedy reducing and killing ſuch Rebellious and Runaway Slaves in all other Pariſhes of this Iſland whereſoever it ſhall be thought requiſite. And for the encouraging of all Perſons chearfully to engage in this ſo neceſſary a Work, it is hereby enacted, That the Captain or Commander of each and every Party ſhall have and receive ſix Pounds *per* Month, each Serjeant four Pounds *per* Month, and every private Soldier three Pounds *per* Month, and every Slave fifty Shillings, whereof ten Shillings *per* Month ſhall be to the ſole and only uſe of each Slave belonging to any of the ſaid Parties. And moreover, that the ſaid

Parties ſhall be farther allowed and paid the Sum of five Pounds for every Rebellious Slave which they ſhall kill or take alive, beſides all Plunder and other Advantages given and allowed in and by an Act, intitled, *An Act for the better Ordering and Government of Slaves*; which ſaid Sum of five Pounds and Plunder which each Party ſhall take, and all other Profits allowed in and by this or any former Act, ſhall be equally divided to and amongſt the Captain and Soldiers belonging to each Party as aforeſaid. And be it farther enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Captain and Commander of any of the ſaid Parties intended to be raiſed as aforeſaid, to impreſs ſuch Slave or Slaves, not to exceed the Number of five, to belong to each Party as the Captain or Commander of ſuch Party ſhall think fit to employ, whereof not above two out of any Plantation. And for the preventing of any diſputes which might otherwiſe ariſe between the Commanders of ſuch Party, and the Owners or Proprietors of ſuch Slaves intended for the ſaid Service, it is hereby declared by the Authority aforeſaid, that if the Owner or Proprietor of ſuch Slave or Slaves ſhall

refuſe

refuſe to deliver and ſend out with ſuch Captains or Commanders the Slave or Slaves ſo pitcht upon as aforeſaid, all and every Perſon or Perſons ſo refuſing ſhall forfeit the Snm of ten Pounds for every ſuch Offence, which ſhall upon Complaint be heard, and upon proof adjudged by the next and immediate Juſtice of the Peace to whom ſuch Captain or Commander ſhall make ſuch Complaint; one Moyety to the Party, the other Moyety for the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed; from which ſaid Sentence or Order of the Juſtice againſt all ſuch Perſons who ſhall ſo refuſe, no Appeal ſhall lie in any of her Majeſty's Courts of Judicature, but the ſame ſhall be abſolute and deciſive, any Law, Cuſtom or Uſage to the contrary thereof in any wiſe notwithſtanding. And be it farther enacted by the Authority aforeſaid, That every Slave which the Captain or Commander of the ſaid Parties ſhall judge capable of being employ'd in the ſaid Service, ſhall before his entring into the ſame be valued and appraiſed by one of her Majeſty's Juſtices of the Peace of this Iſland, and ſome ſufficient Inhabitant, to the Intent that the Owner or Proprietor of every Slave which ſhall happen to be

killed or diſabled in the ſaid Service, may receive ample Satisfaction; which the Commiſſioners appointed by this Act are hereby impowered to pay, and ſatisfy to the Owner of ſuch Slave or Slaves which ſhall be killed, and all other Slaves which ſhall happen to be maimed or wounded in the ſaid Service. And be it enacted by the Authority aforeſaid, That in Caſe any White Perſon ſhall be diſabled from getting his Living by any wound or hurt in the ſaid Service, that ſuch White Perſon ſhall be paid by the Commiſſioners hereafter named the Sum of Twenty Pounds *per Annum* for and during his Natural Life; and if any White Perſon ſhall happen to be killed, that then the Sum of Twenty Pounds *per Annum* ſhall be anſwer'd and paid to the Widow, Child or Children of ſuch Perſon who ſhall be killed in the ſaid Service, for and during the Term of Seven Years. And whereas it may be adjudged neceſſary to tranſport ſuch Parties from Place to Place, in order to prevent long and tedious Marches by Land, it is therefore farther enacted by the Authority aforeſaid, That it ſhall and may be Lawful to and for her Majeſty's Lieutenant Governour, or the Commander in Chief for the time being, to impreſs

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ſuch Sloop or Sloops, or other Veſſels as ſhall be adjudged neceſſary, for the tranſporting or carrying ſuch Parties from Place to Place, or the Proviſion, Baggage or other Neceſſaries which ſhall be adjudged proper for this intended Service. And it is hereby farther enacted by the Authority aforeſaid, That the Commiſſioners hereafter named ſhall buy and provide ſuch Ammunition and Proviſion as they ſhall think fit and neceſſary for the ſaid Parties, and diſtribute the ſame to ſuch Perſon or Perſons for their Uſe, as the Governour or Commander in Chief ſhall order and direct; And moreover, that the Captains of all and every of the ſaid Parties, together with the Soldiers under their reſpective Commands, ſhall follow and obey all and every ſuch Orders and Directions as ſhall from time to time be given out by the Governour and Commander in Chief for the time being. And farther, that the Captain of any of the ſaid Parties ſhall from time to time command all ſuch of her Majeſty's Soldiers, as the Governour ſhall from time time order to go out and joyn with the ſaid Parties, for and towards the ſuppreſſing of ſuch Rebellious Negroes; but if any Officer, Captain or Commander, Soldier or other Perſon, ſhall be

be remiſs or negligent in his or their Duty, the ſaid Perſons ſo offending ſhall looſe their Pay, and incur ſuch Pains and Penalties as a Court Marſhal ſhall adjudge. And to the Intent that this ſo neceſſary a Work may be the more ſpeedily and effectually carryed on, it is hereby farther enacted by the Authority aforeſaid, That the Captains of all or any of the Parties ſo intended to be raiſed as aforeſaid, ſhall have full Power and Authority to impreſs and take into his Service any White Servants hired or indented, (Overſeers and Artificers only excepted) which ſaid Servants ſhall, upon Notice thereof to him or them given, be immediately accoutred out by the Maſter, Miſtreſs or Overſeer of the Plantation to which ſuch Servant doth belong, with a Gun, Cartouch-Box, Cloaths, and all other Neceſſaries fit for the ſaid intended Service. And in Caſe the Owner, Maſter, Miſtreſs or Overſeer ſhall refuſe or neglect to ſend to the Captain or Commander of ſuch Parties, ſuch White Servant or Servants compleatly fitted for the ſaid intended Service, all and every Perſon or Perſons ſo refuſing or neglecting as aforeſaid, ſhall likewiſe forfeit the Sum of Ten Pounds for every ſuch Offence, which ſhall,

ſhall, upon Complaint of the Captain or Commander of ſuch Party, be heard, and upon proof adjudged, by the next and immediate Juſtice of the Peace, to whom ſuch Captain or Commander ſhall make ſuch Complaint; one Moyety to the Party, the other Moyety for the Uſe of the Poor of the Pariſh where ſuch Offence ſhall be committed. And it is hereby farther enacted, That the Maſter of every ſuch White Servant, who ſhall be ſo impreſſed or who ſhall voluntarily inliſt himſelf, ſhall have and receive to his own Uſe the Sum of Two Pounds *per* Month, and that the Servant ſhall have and receive to his own Uſe the Sum of Twenty Shillings *per* Month for his encouragement; which ſaid Sums of Two Pounds and Twenty Shillings *per* Month ſhall be duly paid by the Commiſſioners herein after named. And that all Perſons employ'd in this Service, Captains and Soldiers, may be regularly and punctually paid by the ſaid Commiſſioners, it is hereby farther enacted, That upon the return of any of the ſaid Parties, the Captain of ſuch Party ſhall apply himſelf to the Commanding Officer of the Pariſh where ſuch Party ſhall be, and ſhall give to ſuch Commanding Officer a full Account of his

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Proceedings; which ſaid Officer ſhall thereupon ſettle and adjuſt an Account of what ſhall be due to the Captain and Soldiers of ſuch Party, and ſhall ſign and ſubſcribe his Name to the ſame, which ſhall be immediately thereupon tranſmitted to the ſaid Commiſſioners, who ſhall thereupon pay or cauſe to be immediately paid ſuch Sum or Sums as ſhall appear to be due to the Captain and his ſaid Party, any thing herein contained to the contrary thereof in any wiſe notwithſtanding. And it is hereby farther enacted by the Authority aforeſaid, That Major *Francis Roſe*, Captain *Matthew Gregory* for St. *Jago de la Vega*, Major *Richard Thomſon*, Doctor *John Blaire* for *Port-Royal*, Colonel *Thomas Clark*, Captain *Edmund Edlyne* for *Kingſton*, ſhall be and are hereby appointed Commiſſioners for the Purpoſes and Intents aforeſaid, who are hereby impowered and ordered to receive and diſpoſe of ſuch Sum and Sums of Money as are or ſhall be appropriated by any Act or Acts for the Uſes, Intents and Purpoſes aforeſaid. And that the ſaid Commiſſioners ſhall be allowed and may detain in their Hands the Sum of Two Pounds and a half *per Cent.* and no more, out of all and every ſuch Sum and Sums of Money which

which they ſhall receive and pay out, by Virtue of this or any other Act, or Ordinance whatſoever, any Law, Cuſtom or Uſage to the contrary in any wiſe notwithſtanding. And laſtly, That all Slaves taken by the ſaid Parties ſhall be tried as in the Act herein before-mentioned is directed, and if adjudged to be tranſported where no Owner or Owners lay Claim, the Money thence ariſing ſhall be paid unto the Commiſſioners herein mentioned, and to be accounted for by them accodingly.

Mr.

# Mr. *FRANCIS HANSON's* Account of the ISLAND and GOVERNMENT of JAMAICA, which was wrote in or about the Year 1682.

*HIS Majeſty having been graciouſly pleaſed (with the advice of the Lords of the Privy Council appointed a Committee for Trade and Plantations) to give His Royal Aſſent to ſeveral Acts made by the Governour, Council and Aſſembly of* Jamaica; *it was thought fit to publiſh the ſame, as well for the benefit of its Inhabitants, as all others His Majeſties Subjects who may Trade or be any ways concern'd there; but for prevention of Miſtakes (leſt ſtrangers to* Jamaica *might think theſe few Acts were all the Laws and Privileges of that Iſland, which might leſſen it in their eſteem, and diſcourage ſome from adventuring themſelves or their fortunes thither) I was deſired by ſome Perſons of Quality, to give a more particular account thereof; in obſervance of whoſe commands, and reſpect I bear the place, I promiſed my endeavours, but muſt be very brief, for that the Book is in the Preſs ready to come forth; wherein I may be the more excuſable, ſince a Gentleman who has lived long in,*

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*and very well knows that flouriſhing Country, hath here already given ſo good a deſcription of the Iſland which (as he ſaith) was taken from the* Spaniards, *in the Year* 1655, *and I may add in the* 7th *Year of his now Majeſties Reign, who when he came to exerciſe his Royal Authority was pleaſed to own what his Subjects had done (which was the ſame as if he had Commiſſionated them) and among other his glorious Titles deſcended to ſtile himſelf Lord of* Jamaica, *by whoſe ſpecial grace and favour we have hitherto all the Laws and Pivileges of* Engliſh *Men exerciſed and continued amongſt us there. Theſe Acts now Printed being only By-Laws for better Government of the Plantation (which in ſome caſe requires different Regulations from the Kingdom of* England, *as ſome Counties for Stanneries, Fens,* &c. *do here) and for raiſing ſuch neceſſary Cuſtoms as may defray the Publick Charge of that Country, for all Judges and Juſtices in* Jamaica *determine all Pleas there according to the Laws of* England; *purſuant whereunto that Iſland hath been Govern'd, except ſome little Variations for eaſe and benefit of a new ſettlement, as our Proceedings being all in* Engliſh, *our pleading general Iſſues and giving ſpecial matters in evidence, our ſuits being more conciſe and far leſs chargeable than in England, the Practice of our Courts there much more plain and intelligible. To begin with his Majeſties Supream Court of* Judicature *(ſo called, which hath the ſame Juriſdiction with the* Kings-Bench, Common-Pleas, and Exchequer *at Weſtminſter, and is held* 4 *times in the Year as the Terms in* England, viz. *every laſt Tueſday in* February, May, Auguſt *and* November, *which continue each time about a Week, and therein are firſt determin'd all Pleas of the Crown, then follow* Common-Pleas, &c. *The Judges of the Court being Commiſſion'd by his Majeſty or his Governours are always* 5 *or* 7, *whereof no leſs than* 3 *can try any Cauſe, and they conſiſt of the meſt conſiderable Gentlemen of the Iſland both for Parts and Eſtates, and uſually the Chief Juſtice is one of the beſt*

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*Quality, who hath practiſed and is well read in the Laws of* England ; *tho few of them are ſo learned as the Judges here, yet they are Men of the greateſt ſenſe and reaſon (whereon all Law is or ſhould be grounded). This Court is not Burthen'd with many Officers, for one called the Clerk of the Grand Court is* Prothonotary Cuſtos brevium, *&c. Nor do we trouble our ſelves with many ſorts of Writs, as* Originals, Capias, Alias *or* Pluries, *very rarely or never arreſting any Perſon of known reſidence, only ſend him a Summons to appear next Court, and that he may come provided, a Copy of the Declaration is always left with the Summons, which being ſerved 8 Days at leaſt before the Court, the Defendant is bound to appear, plead, joyn iſſue, and come to Tryal the very next Court, or Judgment will paſs by default, no Imparlance being allowed without ſpecial cauſe as on Oath that he hath material Witneſſes, and hath endeavoured but cannot* Subpœna *them. In Tryals we have not ſeveral* Venire's *nor a particular Jury for every Cauſe, unleſs in ſome ſpecial matter of great import, but by a general* Venire *the Marſhal prepares enough for four or five ſets of Jurors, not knowing what iſſues they are to Try, (which prevents packing or partial returns) who are impannel'd in Court, and put upon the Crown ſide, or Common Pleas, in ſuch cauſes as the Judges extempore direct. And the ſame Jury uſual Tries Six or more at a time, as the Court thinks their Memory may well bear, for help whereof ſome of them take Notes ; alſo they are permitted to take with them the Record it ſelf, with all Papers or Deeds proved in Court, moſt of our Actions there being plain matters of Debt or Accompt, and ſome few Ejectments, Writs of Dower, Partition, &c. The Jurors indorſe their Verdict on each Record, which is deliver'd in Court to the Clerk, who of courſe enters Judgment unleſs it be arreſted, which every one may move the laſt Day of the Court, but is rarely granted without very ſpecial cauſe preſently made appear ; but if ſuch motions are ever favoured, it is in exceſſive damages on Action of*

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Slander or frivolous Treſpaſſes, which are uſually diſcountenanced. We are not intreagu'd with dilatory Writs of Inquiry, but when any Judgment is confeſs'd or paſſeth by nil dicit in caſe, &c. the next Jury happening to be trying iſſues in Court, take the Record and Aſſeſs Damages preſently. And for eaſe of thoſe who live by their labour to prevent unneceſſary attendance and expences, all Actions depending that Court or Term are called and try'd alphabetically beginning with the Plaintiffs names; ſo all parties, witneſſes, &c. may gueſs on what Day ſuch a Letter may come on, and accordingly give their attendance. Fourteen Days after the beginning of the Court Execution iſſues, for which we have but one Writ comprehending both a Fieri fac. and Capias ad ſat. (viz) to levy the Debt and Coſts of the Defendants Goods, or if he have none, then to take his body; but becauſe no general Imparlance is allowed before, we in a Manner give one after Judgment: For that no Man may be ruined by haſty ſurpriſe and ſale of his goods, the ſame after ſeizure in Execution may be returned, but muſt be left in the Defendants hands to diſpoſe to moſt advantage (if he end not with the Plaintiff) ſo as to bring the Money into next Court, wherein if he fails, then a Vendirioni exponas iſſues to the Marſhal to ſell them or any other goods or take his Body: Before or after which the Defendant is at liberty to bring his Writ of Error, returnable before the Governour and Council, though it is very rarely practiſed, ſuch Writs meeting with very little encouragement in juſt Debts. His Majeſty hath alſo conſtituted in this Iſland a Court of Chancery, wherein the Governour himſelf always ſits as Chancellour, aſſiſted by ſeveral diſcreet Gentlemen of eminency as Maſters, where Cauſes are ſpeedily determined without thoſe delays and expences uſed in England. There are alſo in every Pariſh or County, monthly Courts erected for tryal of all Actions under Twenty Pounds, or ad infinitum, with a Juſticies out of Chancery, which the Governour cautiouſly grants on ſpecial occaſions. Of Judgments in theſe Courts Writs of Error

*lie returnable at the Supream Court, but rarely brought for reaſon aforeſaid. Then every Juſtice of Peace (beſides the Authority of a Juſtice in* England) *hath Power of holding a Court of Conſcience for all matters not exceeding Forty Shillings value. The Quarter Seſſions are alſo held in each Pariſh or County after the manner of* England, *and there is a Court of Admiralty at the Town of* Port-Royal *for tryal of Piracy and deciding other Maritime affairs, from whence we have the liberty of appealing to the Governour there, or to his Majeſty in Council here for redreſs. The Governour alſo hath Power (as Ordinary of the Dioceſs) for* probate *of Wills, granting Adminiſtrations, and determining all controverſies concerning the ſame; But Eccleſiaſtical or Spiritual Courts are not yet known in this Iſland, nor are Purchaſers here incumbred with bad Titles, for that Regiſter (ſo much wiſhed for in* England) *is here eſtabliſhed, where all Conveyances being acknowledged are to be Enroll'd within three Months, if the Cogniſors inhabit there; But if any Perſons, Feme Coverts or others reſiding in* England, *and intereſted in any Lands or Plantations there ſhall deſire to diſpoſe of the ſame here, they muſt ſeal and deliver their Deeds before two or more credible Perſons going for* Jamaica, *who atteſting the ſame before a Judge there, the ſame may be Enroll'd in ſix Months, and ſhall be as* Valid *in Law, as if done by Fine, Recovery or otherwiſe. In which caſe I ſhould advice the Purchaſer to take by way of Leaſe and Releaſe, and to have two parts at leaſt of each, with Covenants for farther aſſurance, &c. that if one part happen to miſcarry, he may require another, yet ſo as always to keep one here, leaſt any breach of Covenants ſhould happen. And ſince this publick Regiſter or Office of Enrolments is found of ſuch general uſe, that no Purchaſer or Lender of Money can be deceived in his Title, it may not be unſeaſonable (for advancement of our Plantation Trade, and conſequently enriching our native Country of* England, *the great Receptacle of all our wealth) to encourage monied Men, (who expoſe it here at*

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4 *and* 5 per Cent. *yet cannot get ſatisfactory ſecurity) to adventure ſome of it for* Jamaica, *where they may have unqueſtionable ſecurity, by Men of viſible eſtates, or good Mortgages, for neither Perſons nor Eſtates can be there incumbred, but they muſt be diſcovered either by the aforeſaid Regiſter or report of their Neighbours, who generally more intimately know and better obſerve each others Affairs than they can in* England. *Nor was it ever known that any Mortgage hath been defeated or Title proved defective where compared and agreeing with the Regiſter, ſo that any Perſons having Monies here to put out, may remit the ſame to* Jamaica *by Bills of Exchange at* 20 per Cent. *or in Commodities (by advice of Merchants here) at* 40 *or* 50 per Cent. *or more advance, and lend the ſame at* 10 per Cent. *running only (in Commodities) the riſque of the Sea, which alſo is ſo inconſiderable, that it may be enſured for about* 2 per Cent. *But when they recal their Monies they may expect* 15 *or* 20 per Cent. *loſs on their returns, though ſometimes they gain alſo back; which loſs when it happens may be attributed to the difference of our Coyns here and there,* Jamaica *Money being about one* 5*th more in value there than it will yield in* England. *And ſuch Adventureres have this farther encouragement, that all real Securities there are* meliorated *(being certainly improvable) the longer they continue planted, whereas Lands here uſually decreaſe in value. It might alſo turn to much greater advantage than the beſt way of employing Money in* England *to Purchaſe Plantations there, many good penniworths frequently offering, as may be found by inquiry here of ſuch as have Eſtates there, though uſually thoſe that have leaſt do moſt undervalue the place: For if* Jamaica *lie under any ill Character, ſhe owes it to ſome few Prodigals who having Riotouſly conſumed that little they carried thither, and being through ignorance or lazineſs incapable of any imploy, come home and rail againſt the Country, to juſtify their unprofitable Voyage and Return. There is alſo another imputation on* Jamaica, *viz. the*

*difficulty of getting due Returns and Recovery of juſt Debts. To the firſt it hath uſually more noiſe than ſubſtance, for many Men of declining fortunes, to deceive their Creditors, or otherwiſe, boaſt of great concerns there, and diſappointments by their Factors and Agents,* &c. *when really they have little or nothing in the Iſland, for if they had, the Law is open and much more cheap and expeditious remedies to be uſed there than in* England; *though indeed as to the ſecond ſome have herein met with obſtructions, partly occaſioned by a former Law indulging all new Comers for* 5 *Years againſt proſecutions for Foreign Debts: But that being now thought a diſparagement to ſo populous and opulent a Colony, was diſlik'd by the Lords Committees and is not confirm'd: Other inconveniencies ſome have met with for want of due information how to draw their proofs and procurations: I would not encourage any litigious ſuits, but for inſtruction of honeſt Creditors againſt able Debtors, I ſhould preſcribe this method, that all Letters of Attorney be Atteſted by Perſons going thither, who may prove the ſame* viva voce, *which being recorded there, is good though witneſſes die or return, whereas Perſons uſually ſend procurations under Corporation ſeals, which are not there admitted for that better proofs may be eaſily had as aforeſaid; but ſuch cannot always be found for Debt: In ſuch caſe the Law there is ſo favourable to admit depoſitions atteſted under the ſeal of the City of* London *or other Corporations, but then the Plaintiff would do well to give due Credit on Oath for what he hath received, or elſe the Defendant may have juſt occaſion (with ſecurity) to delay him by Injunction till he anſwer his Bill in* Chancery. *Or if the Debt accrues by* Specialtie, *the Original bond itſelf muſt go over, it being unreaſonable to recover againſt any Man on a Copy, yet the bond itſelf lie out againſt him; nor can indorſments nor truth ſo well appear unleſs produced in Court. If any Bill of exchange be drawn from* Jamaica, *which will not be paid here, one of the Original Bills muſt go back doubly proteſted,*

teſted, as well for non acceptance as for non payment, and in miſtaking theſe or ſuch like meaſures (grounded upon Law and Reaſon) many have been baffled or delayed, and then cauſleſly reflect on the Juſtice of the Iſland. This is what occurs at preſent about our Temporal Laws. I may alſo add that the People are generally of the Church of England, and I am confident, in no part of the King's Dominions hath his Majeſty more truly Loyal Subjects for the Number of its Inhabitants, than are in Jamaica: We have very few Papiſts or Sectaries, for neither Jeſuits or Non-conformiſt Parſons do or can live among us; ſome few have attempted, but never could gain Proſelytes enough to afford them ſuſtenance (though all except Papiſts may freely exerciſe what Religion they pleaſe without diſturbance) But for able orthodox Divines there is ſo great encouragement, that it's to be admired ſo many can content themſelves with ſuch mean or no Benefices in England, when they may ſo comfortable ſubſiſt in Jamaica, for that they are certainly provided for by an Act intitled, For Maintainance of Miniſters, which ſee in this Book Folio 77. Beſides which allowances, in moſt Pariſhes the Contingencies by voluntary preſents for Chriſtenings, Marriages, Buryings, and otherwiſe with Houſes, taking Boarders, Schooling, &c. make conſiderable additions. So that they may live comfortably and lay up. Victuals being as plentiful and of the ſame ſorts for Butchers Meat, tame and wild Fowl, Fiſh, Bread, &c. (with more variety) as in England, with this difference, that we have green Peas, Beans, Cherries, Aſparagus, Musk and water Mellons, Pines, Grapes, Oranges, Pumgranats, Citrons, Lemons and hundreds of ſeveral other ſorts of Fruits in ſeaſon all the Year long But ſome are apt to object the hazard of the Voyage, and unhealthineſs of the place; as to the firſt, It's as ſafe going to Jamaica as to go in a Wherry on the River Thames, where more Boats are caſt away in proportion than Ships going for that Iſland, for we ſoon come into a Trade Wind and preſently ſail before it, almoſt conſtantly blowing

from

*from East to West, that is, from* England *to* Jamaica; *it being rarely known that any Veſſels miſcarry going thither. And this is evident enough, if we conſider the common rate of Enſurers at two* per Cent. *who are Men of foreſight and experience, never propoſing leſs then doubling their Money, which they cannot do if but one Ship in an hundred miſcarry, yet that doth not happen in time of Peace. Then as to the unhealthineſs of the Climate, (there are ſome who never were abroad think all places beyond Sea much alike, ſo that having heard of Sickneſs and ſeaſonings for new comers in places lately ſettled, they are apt to impute it without any reaſon to* Jamaica, *the Air being always ſerene and Weather conſtantly temperate, though uſually reputed very hot, yet it's only ſo comparatively in reſpect of theſe Northern Climates, being with us always Summer as if every Month were* June. *I have obſerved and can experimentally affirm for twelve Years laſt paſt,* Jamaica *to be as healthful a place as any part of* England, *for ſober temperate Perſons, who have command of themſelves, eſpecially at firſt arrival, and can moderately drink one third Wine with two thirds Water; but on the other ſide I think it as pernicious a place to debauch in, as any in the World; and this ſo neceſſary vertue of ſobriety being more habitual in the other Sex, makes the place far leſs fatal to them than Men, whereof uſually ten dye in proportion for one Woman, as appears by the yearly Bills of Mortality on* Port Royal (*which is the* London *of* Jamaica) *and it is not extraordinary, if we alſo conſider the Nature of the Climate (as it really is) moſt propitious to Childbearing Women, who are not ſo ſubject to Miſcarriages, Diſtempers, Pains or Difficulties before at or after Delivery, as they are in* England, *for being always Summer, there is no danger of catching colds, nor need of Fires in their Chambers, no Rooms there having any Chimnies except the Kitchen which is uſually apart from the dwelling Houſe. In* Jamaica, *the Women after Childbed are ſtrong and luſty at three Days end, and about Houſe again in a Week;*

*nay*

nay ſome Negroe *Women are at Work in the Field the ſame or next Day. I have been often Queſtioned about the Natives of our Iſland, Whether they were not a Terror to us,* &c. *It may not therefore be impertinent to declare that* Jamaica *is wholly Inhabited with* Engliſh, *who found none there but* Spaniards, *which were ſoon beaten off, and are long ſince in battle or by ſlight extirpated, though perhaps it was formerly very populous with* Indians, *but thoſe were deſtroyed by the* Spaniards, *ſo that we have no Natives at preſent but Children of the* Engliſh, *or their* Negro *Slaves (which are imported thither as Merchandize from* Guiney *and other parts of* Africa) *of whom we are in no ſuch fear or danger as in leſſer Iſlands, But* Jamaica *is of too vaſt an extent for any ſuch Surprize, being in many Places divided with mountains of difficult acceſs, and great Rivers not paſſable but by Boats or Ferries, which dare carry no* Negroes *without a Written Ticket or Licence from their Maſter or Overſeer. And if any Slaves be found wandring out of his Maſters Plantation, any Perſon may ſeize and carry him to his Owner or next Officer, and receive a certain reward. By which and other expedient Methods it's ſafer living or travelling in* Jamaica *than* England, *we having rarely any Houſe-Breaking or Robbery for want of receivers, moſt Perſons there generally knowing each other as they do in Country Cities here. Though there are few Inns for Travellers, yet they are better and cheaper accommodated at Planters Houſes, who are generally very Hoſpitable and are conveniently diſperſed over the whole Iſland, for all* Jamaica *is ſettled by the* Engliſh *from one end to the other, though in ſome places more thin than others. The Houſes indeed are not ſo cloſe as in ſome parts of* England, *yet uſually the Plantations are contiguous, for a great Sugar Work requires ſome hundreds of Acres for Canes, Wood Proviſions, Paſture,* &c. *yet moſt of the Planters are forward enough to ſpare ſome of it to a good Neighbour on reaſonable terms. The Wood-Lands are commonly cleared and uſed for Planting, but there are*

*vaſt*

*vaſt even Meadows called* Savannas, *for grazing of Horſes, Cattle, Sheep,* &c. *which we never cut nor make any Hay of, having Graſs all the Year long, though ſometimes a little too much dry'd or ſcorched by the Sun, when many purpoſely ſet it on Fire, the aſhes whereof manure and improve the Ground againſt another Crop, which will ſuddenly ſpring again with the next gentle ſhowers or without, by the great dews which there fall in the night, and in the mean time the Cattle retire to other paſtures in ſhady Woods or lower Marſhes; it is alſo obſervable that our Horſes are generally ſwift, but few or none of them ſhod, yet will gallop the moſt ſtony way, and climb ſteep Rocks like Goats, nor are they troubled with near ſo many Diſtempers as Horſes in* England, *it being common (though never ſo hot or hard ridden) to turn them preſently grazing; but the Horſes are uſually of ſo ſmall a breed, that all Gentelmens Coaches (which are there very numerous) go with ſix Horſes apiece; we have alſo ſeveral Hackney Coaches. The manner of living there for Gallantry, good Houſekeepings and Recreations (as Horſe-Races, Bowls, Dancing, Muſick, Plays at a publick Theatre,* &c.) *ſufficiently demonſtrate the flouriſhing condition of the Iſland, yearly increaſing as well in number of Inhabitants as in wealth and plenty, being moſt commodiouſly ſeated in the midſt of the* Spaniards, *ſo that we drain the benefits of their Gold and Silver Mines without their Labour and Expences. The Town of* Port-Royal, *being as it were the Store-Houſe or Treaſury of the* Weſt-Indies, *is always like a continual Mart or Fair, where all ſorts of choice Merchandizes are daily imported, not only to furniſh the Iſland, but vaſt quantities are thence again tranſported to ſupply the* Spaniards, Indians, *and other Nations, who in exchange return us bars and cakes of Gold, wedges and pigs of Silver, Piſtols, Pieces of Eight, and ſeveral other Coyns of both Mettles, with ſtore of wrought Plate, Jewels, rich Pearl Necklaces and of Pearl unſorted or undrill'd ſeveral Buſhels; beſides which, we are furniſhed with the pureſt and moſt fine ſorts of Duſt Gold from*

Guiney,

Guiney, *by the* Negroe *Ships, who firſt come to* Jamaica *to deliver their Blacks, and there uſually refit and ſtay to reload three or four Months; in which time (though the Companies Gold may be partly ſent home) yet the Merchants, Maſters of Ships, and almoſt every Mariner (having private Cargoes) take occaſion to ſell or exchange great quantities; ſome of which our Goldſmiths there work up, who being yet but few grow very wealthy, for almoſt every Houſe hath a rich Cupboard of Plate, which they careleſly expoſe, ſcarce ſhutting their doors in the night, being in no apprehenſion of Thieves for want of Recievers as aforeſaid. And whereas moſt other Plantations ever did and now do keep their accounts in Sugar, or the proper Commodities of the place, for want of Money, it is otherwiſe in* Jamaica, *for in* Port-Royal *there is more plenty of running Caſh (proportionably to the Number of its Inhabitants) than is in* London, *which (among other worthy Acts) we chiefly owe to the provident care of his Excellency Sir* Thoms Lynch *our preſent and former Governour, who about ten Years ago (by adviſe of his Majeſties Council there) raiſed the value of our current Coyns about one 5th more than they will yield in any other part of Chriſtendom, ſo that none care to carry Money off but bring great quantities thither, which occaſions the daily increaſe of our Sugar-Works and other profitable Plantations, and gives great encouragement to the Gentlemen Planters in other adjacent Iſlands and Plantations to remove and ſettle amongſt us, being there obliged to uſe traſh and Sea-Coals to boyl their Sugar (which renders it not ſo good as when made with quick Wood Fires) nor are they here at ſo great Chrage for Horſes and Cattle to do their Work, nor pent up in ſuch narrow Plantations for want of Land as in thoſe ſmall Iſlands, nor ſubject to many other inconveniencies incident to little Countries and ſmall Numbers of People; this Iſland of* Jamaica *being very capacious, and ſupply'd both from abroad and in it ſelf with great plenty of all things neceſſary.*

FINIS.

# ERRATA.

PAGE viii. l. 18. for *is* read *are*. P. 37. l. 6. r. *Court*. P. 44. l. 12. dele *who*. P. 271. l. 11. r. *Heywood*. P. 283. l. 18. for *Law* r. *Laws*. P. 284. l. 3. r. *Laws*. P. 285. l. 24. r. *Laws*. P. 286. l. 26. r. *Laws*. P. 287. l. 15. r. *Laws*. P. 417. l. 2. after *shall* r. *be*.